

for a board of trustees to serve until the time for the next election of school trustees as provided by general laws; providing for the validation of all contracts for maintenance of the schools of the district herein incorporated for the current scholastic year, as the subsisting obligations and acts of the Common County Line School District No. 37 as created by this act; conferring upon Williamson county jurisdiction over the said district, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 385, A bill to be entitled "An Act to create the Wolfe City Independent School District in Hunt county, Texas, including the present Wolfe City Independent School District of said county; providing for a board of trustees in said district; vesting said independent school district and board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Wolfe City Independent School District shall continue to act as such herein; divesting the city of Wolfe City of the control of the public schools of the district as created by this act, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 17, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 281, A bill to be entitled "An Act to provide for the inspection and standardization of junior colleges, teachers colleges, colleges and universities of the first class; prescribing fees therefor, providing fees to be paid by teachers securing certificates based on work done in such institutions; repealing all laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.

ROWELL, Chairman.

# RELATING TO HOUSE BILL NO. 430.

On motion of Mr. Runge, by unanimous consent, the Enrolling Clerk was instructed to make the following change in House bill No. 430:

Strike out all after the word "thence" on line 24, Section 1, down to the word "thence" on line 53, Section 1, and insert instead the following: "North about 14 miles along the west lines of Sections 6, 7, 18, 19, 30, 31, 42, 43, 54, 55, 66, 67 and 78, Block M, G. H. & S. H. Ry. Co., directly across F. Kloepper survey and with the east line of the P. W. M. Neice survey, to the Tom Green and Schleicher county lines."

## THIRTIETH DAY.

(Thursday, February 19, 1925.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Dielmann.
Albritton.	Dinkle.
Alexander	Donnell.
of Bastrop.	Downs.
Alexander	Dunlap.
of Limestone.	Dunn of Falls.
Amsler.	Dunn of Hopkins.
Atkinson.	Durham.
Avis.	Enderby.
Baker of Orange.	Farrar.
Baker of Panola.	Faulk.
Barker.	Fields.
Barron.	Finlay.
Bartlett.	Florence.
Bateman.	Foster.
Bean.	Frnka.
Bedford.	Graves.
Bird.	Gray.
Blount.	Hagaman.
Bobbitt.	Hall.
Boggs.	Harman.
Bonham.	Harper.
Brown.	High.
Bryant.	Hollowell.
Carter.	Hoskins.
Chitwood.	Irwin.
Coffey.	Jacks.
Conway.	Jasper.
Coody.	Johnson.
Covey.	Jones.
Cox of Lamar.	Jordan.
Cox of Navarro.	Justice.
Cummings.	Kayton.
Dale.	Kemble.
Daniels.	Kenyon.
Davis of Dallas.	King.
Davis of Wood.	Kinnear.
DeBerry.	Kittrell.

Laird.	Rowland.
Lane of Hamilton.	Runge.
Lane of Harrison.	Sanford.
Lipscomb.	Shearer.
Loftin.	Sheats.
Low.	Simmons.
Mankin.	Simpson.
Maxwell.	Sinks.
McBride.	Smith of Nueces.
McDonald.	Smith of Travis.
McDougald.	Smyth.
McFarlane.	Sparks.
McGill.	Stautzenberger.
McKean.	Stell.
McNatt.	Stevens.
Merritt.	Stevenson.
Montgomery.	Storey.
Moore.	Stout.
Nicholson.	Strong.
Parish.	Taylor.
Pavlica.	Teer.
Pearce.	Thompson.
Perdue.	Tomme.
Poage.	Veatch.
Pool.	Wade.
Pope.	Walker.
Powell.	Wallace.
Purl.	Webb.
Rawlins.	Wells.
Raymer.	Westbrook.
Renfro.	Wester.
Rice.	Williamson.
Robinson.	Wilson.
Rogers.	Woodruff.
Rowell.	Young.

Absent.

Cade.	Hull.
Houston.	

Absent—Excused.

Masterson.	Petsch.
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A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McFarlane:

H. B. No. 504, A bill to be entitled "An Act creating and incorporating the Newcastle Independent School District lying in Young county in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the general laws governing independent districts; providing that no outstanding indebtedness of the Newcastle Independent District be invalidated, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. King:

H. B. No. 505, A bill to be entitled "An Act making provision for the payment by the State of damages, if any, to property owners in the vicinity of the old Blind Institute buildings and grounds owned by the State of Texas situated near the intersection of Nineteenth Street and East Avenue in the city of Austin, Travis county, Texas, occasioned by the use of said property in connection with the State Lunatic Asylum for aged persons suffering from senile dementia so that immediate use may be made of said property, so such damages, if any there be, may be ascertained and fixed; making an appropriation for such purpose, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Laird:

H. B. No. 506, A bill to be entitled "An Act to continue until August 1, 1927, the use of all free text-books in use in the schools on December 1, 1924; to authorize and direct the State Text-book Commission to renew and extend contracts for free text-books in use in the public free schools on December 1, 1924, and to authorize and give permission to any person, firm or corporation which may hold purported contracts entered into subsequent to December 1, 1924, to sue the State to recover any net profits growing out of the passage of this act; and to authorize and instruct the State to plead defense, both in law and equity, to the validity of said contracts; and to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Farrar:

H. B. No. 507, A bill to be entitled "An Act to amend Article 1024a, Chapter 2a, Title 15, of the Penal Code of Texas."

Referred to Committee on Criminal Jurisprudence.

By Mr. Smith of Travis:

H. B. No. 508, A bill to be entitled "An Act permitting C. P. George of Travis county, Texas, to sue the State of Texas for injuries and damages which he alleges he received while an employe of the Texas State Highway Department, by being struck by an automobile owned by the State of Texas and driven by an

employee of the Texas School for the Blind; conferring jurisdiction upon any district court of Travis county to try said cause; appropriating five thousand dollars, or so much thereof as may be necessary, to pay any judgment that may be rendered in favor of the said C. P. George against the State of Texas; providing for service of citation upon the Governor or the Attorney General, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Merritt:

H. B. No. 509, A bill to be entitled "An Act to create the Common County-Line School District No. 9 in Scurry, Borden and Mitchell counties, Texas; providing a board of trustees thereof, and vesting said common county-line school district board of trustees with all the rights, powers, privileges and duties conferred upon common county-line school districts incorporated under the general laws of Texas; conferring upon Scurry county jurisdiction over said district; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated as herein set out, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Cummings:

H. B. No. 510, A bill to be entitled "An Act to incorporate Bradshaw Independent School District in Taylor and Runnels counties, Texas, as an independent school district and to provide for the election of trustees, raising of revenue by taxation, issuing of bonds for the erection of a school building within said district, to define the boundaries of said district and conferring upon the board of trustees plenary powers, to levy and collect a tax to retire bonds and to pay current expenses for the maintenance of said school, providing for a board of equalization, prescribing the duties and authorities of said board, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Baker of Panola:

H. B. No. 511, A bill to be entitled "An Act to amend Section 2, Chapter 66, of the General Laws passed by the Twenty-seventh Legislature at its Regular Session, same being a special road law for Panola and Llano counties, by adding thereto Section 2a to permit the issuance of bonds by Panola county for the purpose of funding or refunding in-

debtedness incurred for road and bridge purposes; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Woodruff:

H. B. No. 512, A bill to be entitled "An Act giving cities and incorporated towns power to encourage immigration, new industries and investments therein, civic enterprises and to print and distribute books, pamphlets and maps advertising their advantages, and declaring an emergency."

Referred to Committee on Public Printing.

By Mr. Raymer:

H. B. No. 513, A bill to be entitled "An Act to amend subdivision 10, of Article 1121, Chapter 2, Title 25, Revised Civil Statutes of 1920, relating to the creation of private corporations, so as to include what is commonly known as auto bus lines, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Powell:

H. B. No. 514, A bill to be entitled "An Act to create the Conroe Independent School District in Montgomery county, Texas; defining its boundaries; to provide for the election of trustees; providing for the retention in office of the present board of trustees of the Conroe Independent School District, and providing for the abolition of all other boards of trustees of any school district included within the district hereby created; providing for the raising of revenue, issuing bonds, maintaining public free schools; providing for the means of transportation of the school children in said district; to provide for the establishment of voting precincts and places for the holding of elections within said district; validating all issues of bonds heretofore voted and made; declaring valid and continuing in force all maintenance taxes heretofore voted and levied; providing for an election to determine (1) whether the entire districts as a whole as herein created shall assume all outstanding bonded indebtedness, (2) whether all property within the Conroe Independent School District as created by this act shall be subject to all special school taxes heretofore voted and levied by the Conroe Independent School District; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Montgomery:

H. B. No. 515, A bill to be entitled "An Act providing for the redemption of property sold under a judgment for taxes levied by any district organized under the laws of the State of Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Sanford:

H. B. No. 516, A bill to be entitled "An Act creating the Motley Independent School District of Rusk county; defining its boundaries; vesting it with rights, powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Sanford:

H. B. No. 517, A bill to be entitled "An Act creating the Sulphur Springs Independent School District of Rusk county; defining its boundaries; vesting it with rights, powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Jasper:

H. B. No. 518, A bill to be entitled "An Act making it a misdemeanor to buy, sell, offer to buy, offer to sell, possess, carry, transport or ship, for the purpose of sale, fresh water crappie, white perch and bass during the months of February, March and April; fixing the punishment for violations of its terms, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Maxwell:

H. B. No. 519, A bill to be entitled "An Act amending Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas, creating the Woodson Independent School District in Throckmorton and Stephens counties, Texas, so as to reduce the territory included in and redefine the boundaries of said Woodson Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon inde-

pendent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of all school district or parts thereof included within the bounds of said district shall remain chargeable against the territory which voted the same, and providing that the district as herein created may assume such outstanding bonded indebtedness; prohibiting the district as herein established from selling any of the bonds voted by the Woodson Independent School District as created by said Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of Texas; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Young (by request):

H. B. No. 520, A bill to be entitled "An Act to create the Plymouth Independent School District in Collingsworth county, Texas, including therein the present Plymouth Independent School District No. 17 of Collingsworth county; providing a board of trustees therefor; vesting said Plymouth Independent School District board of trustees with all the rights, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for the validation of all current contracts, taxes and bond issues of the said Plymouth Independent School District No. 17, as the subsisting obligations and acts of the Plymouth Independent School District as created by this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Young and Mr. Gray:

H. B. No. 521, A bill to be entitled "An Act regulating the manufacture of carbon black from natural gas; providing for the issuance of permits for the burning of natural gas in the manufacture of carbon black in the State of Texas, placing jurisdiction in the Railroad Commission of Texas; providing for notice and hearing; providing for the adoption of rules governing the burning of carbon black; providing penalties; repealing all laws, rules, regulations and orders in conflict herewith, and declaring an emergency."

Referred to Committee on Oil, Gas and Mining.

By Mr. Graves:

H. B. No. 522, A bill to be entitled "An Act to create the Bluffdale Independent School District in Erath county, Texas, including therein the present Bluffdale Independent District No. 8 of Erath county; providing a board of trustees therefor; vesting said Bluffdale Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for the validation of all current contracts, taxes and bond issues of the said Bluffdale Independent School District No. 8, as the subsisting obligations and acts of the Bluffdale Independent School District as created by this act; providing for an election to determine as to the assumption of outstanding indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

Referred to Committee on School Districts.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Amsler:

H. J. R. No. 22, Proposing that the Legislature of the State of Texas submit to a vote of the people of Texas an amendment to Section 9, Article VIII, of the Constitution of Texas, authorizing the levy and collection of a special road tax not to exceed fifty cents on the one hundred dollars of valuation of property in any county, subdivision or subdivisions, or defined district thereof, when same has been authorized by a majority of the qualified electors voting at an election held for that purpose, and making an appropriation for carrying out the provisions of this resolution.

By Mr. Moore:

H. J. R. No. 23, Relating to amending Section 16, Article VIII, of the Constitution of the State of Texas, creating the office of assessor and collector of taxes, repealing Section 14, Article VIII, of the Constitution of the State of Texas and thereby abolishing the office of assessor of taxes.

#### SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 270, to the Judiciary Committee.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Baker of Orange, House bill No. 501 was ordered not printed.

#### RELATING TO FEES OBTAINED BY HEADS OF STATE INSTITUTIONS.

Mr. Amsler offered the following resolution:

Resolved by the House of Representatives of the State of Texas, That the heads of all departments, bureaus, commissions and educational institutions of the State report to this House within ten days all moneys received as fees or otherwise than appropriations by the Legislature for the two years ending August 31, 1924, and how such moneys and fees were expended and the amount then on hand.

The resolution was read second time and was adopted.

#### EXTENDING SYMPATHY TO HON. JOHN V. FARWELL.

Mr. Smith of Travis offered the following resolution:

Whereas, All Texas has just cause to have pardonable pride for our magnificent Capitol building which was constructed exclusively from material produced in our grand Lone Star State; and

Whereas, Although our wonderful Capitol building was erected about forty years ago and it was so well constructed by honest, American contractors, it does not show the least sign of deterioration; and

Whereas, Our fellow American citizens, Messrs. Chas. B. and John V. Farwell and George Babcock of Chicago, who constructed our Capitol received and accepted as compensation for the construction lands in the Panhandle they gave us a building which is worth many times today its value when constructed; and

Whereas, It has just come to our knowledge that Mr. John V. Farwell, President of the John V. Farwell Company of Chicago, who is the last sur-

vivor of those who constructed our Capitol, has recently met with a serious accident on the streets of Chicago and is confined in a critical condition in a hospital; therefore, be it

Resolved by the House of the Thirty-ninth Legislature, That we heartily sympathize with Mr. Farwell and his family and trust that he will soon be restored to health and will enjoy a speedy recovery; and be it further

Resolved, That a copy of this resolution be printed in the Journal and a copy be sent to Mr. Farwell and his family in Chicago.

The resolution was read second time and was adopted.

#### SENATE BILL NO. 6 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 6, A bill to be entitled "An Act making unlawful the use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a felony and prescribing punishment therefor."

The bill was read third time.

Mr. Wilson offered the following amendment to the bill:

Amend Senate bill No. 6, Section 1, by adding after the word "person" the following words, "with fraudulent intent."

(Pending consideration of the amendment, Mr. Sanford occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Graves moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—52.

Albritton.	Bonham.
Baker of Panola.	Bryant.
Bateman.	Coody.
Bean.	Covey.
Bedford.	Cox of Lamar.
Boggs.	Dale.

Davis of Wood.	Masterson.
DeBerry.	McDougald.
Donnell.	Merritt.
Dunn of Falls.	Parish.
Enderby.	Pavlica.
Finlay.	Pearce.
Florence.	Powell.
Frnka.	Rogers.
Hagaman.	Sanford.
Hall.	Sheats.
High.	Simmons.
Hollowell.	Stautzenberger.
Hoskins.	Stevens.
Jasper.	Stevenson.
Johnson.	Storey.
Justice.	Thompson.
Lane of Hamilton.	Wallace.
Lipscomb.	Wester.
Loftin.	Wilson.
Mankin.	Young.

Nays—57.

Acker.	Low.
Alexander	McBride.
of Limestone.	McGill.
Baker of Orange.	McNatt.
Carter.	Montgomery.
Coffey.	Moore.
Conway.	Nicholson.
Cox of Navarro.	Perdue.
Daniels.	Poage.
Davis of Dallas.	Pope.
Dielmann.	Rawlins.
Downs.	Rice.
Dunlap.	Rowell.
Durham.	Rowland.
Faulk.	Shearer.
Fields.	Simpson.
Foster.	Sinks.
Graves.	Smith of Nueces.
Gray.	Stell.
Harman.	Stout.
Harper.	Strong.
Irwin.	Taylor.
Jordan.	Tomme.
Kayton.	Veatch.
Kemble.	Webb.
Kenyon.	Wells.
Kinnear.	Westbrook.
Kittrell.	Williamson.
Lane of Harrison.	Woodruff.

Present—Not Voting.

Dunn of Hopkins.

Absent.

Alexander	Blount.
of Bastrop.	Bobbitt.
Amsler.	Brown.
Atkinson.	Cade.
Avis.	Chitwood.
Barker.	Cummings.
Barron.	Dinkle.
Bartlett	Farrar.
Bird.	Houston.

Hull.	Raymer.
Jacks.	Renfro.
Jones.	Robinson.
King.	Runge.
Laird.	Smith of Travis.
McDonald.	Smyth.
McFarlane.	Sparks.
McKean.	Teer.
Pool.	Wade.
Purl.	Walker.

Absent—Excused.

Maxwell.	Petsch.
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Question then recurring on the final passage of the bill, yeas and nays were demanded.

Senate bill No. 6 was then finally passed by the following vote:

Yeas—67.

Acker.	Lane of Harrison
Alexander	McFarlane.
of Bastrop.	McGill.
Alexander	McNatt.
of Limestone.	Merritt.
Baker of Orange.	Montgomery.
Bryant.	Nicholson.
Carter.	Perdue.
Coffey.	Poage.
Cox of Navarro.	Pope.
Cummings.	Rawlins.
Davis of Dallas.	Rice.
DeBerry.	Robinson.
Dielmann.	Rogers.
Donnell.	Rowell.
Downs.	Rowland.
Dunlap.	Sanford.
Dunn of Falls.	Simmons.
Durham.	Simpson.
Enderby.	Sinks.
Faulk.	Smith of Nueces.
Fields.	Stell.
Florence.	Stevens.
Foster.	Stevenson.
Graves.	Stout.
Gray.	Strong.
Harman.	Taylor.
High.	Tomme.
Irwin.	Veatch.
Jordan.	Webb.
Kayton.	Wells.
Kemble.	Westbrook.
Kenyon.	Wester.
Kinnear.	Williamson.
Kittrell.	Young.

Nays—45.

Albritton.	Conway.
Avis.	Coody.
Baker of Panola.	Covey.
Bateman.	Cox of Lamar.
Bean.	Dale.
Bedford.	Davis of Wood.
Boggs.	Dunn of Hopkins.
Bonham.	Finlay.

Frnka.	McBride.
Hagaman.	McDougald.
Hall.	Moore.
Harper.	Parish.
Hollowell.	Pavlica.
Hoskins.	Pearce.
Jasper.	Shearer.
Johnson.	Sheats.
Justice.	Stautzenberger.
Lane of Hamilton.	Storey.
Lipscomb.	Thompson.
Loftin.	Wade.
Low.	Wallace.
Mankin.	Wilson.
Masterson.	Woodruff.

Present—Not Voting.

Powell.

Absent.

Amsler.	Jacks.
Atkinson.	Jones.
Barker.	King.
Barron.	Laird.
Bartlett.	McDonald.
Bird.	McKean.
Blount.	Pool.
Bobbitt.	Purl.
Brown.	Raymer.
Cade.	Renfro.
Chitwood.	Runge.
Daniels.	Smith of Travis.
Dinkle.	Smyth.
Farrar.	Sparks.
Houston.	Teer.
Hull.	Walker.

Absent—Excused.

Maxwell.	Petsch.
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Mr. Rawlins moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 31 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 31, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 25 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature and Chapter 50

of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, Chapter 10 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and Chapter 97 of the Regular Session of the Thirty-eighth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Willacy county."

The bill was read third time and was passed.

#### SENATE BILL NO. 169 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 169, A bill to be entitled "An Act to provide for the organization and government of water control and improvement districts under and in accordance with the provisions of Section 52 of Article III of the Constitution, and under and in accordance with the provisions of Section 59 of Article XVI of the Constitution, providing such districts may have and exercise all the authority and privileges provided by the Constitution; providing the manner of organizing and operating, issuing notes and bonds, incurring debts, levying taxes and assessments to pay bonds and debts and interest and charges thereon and operating expenses, and having such debts and bonds approved and validated, including the validation of proceedings of organization and issuance of bonds by such districts and by water improvement and irrigation districts becoming or being converted into such water control and improvement districts; providing such districts may acquire water rights and other property and buy, acquire or construct improvements, reservoirs, dams, canals, levees, drainage ditches, and any and all rights, properties or things incident to the control and improvement of rivers, streams, creeks and watercourses and supplies, and including all the rights and privileges and functions provided for by the Constitution; providing such districts may contribute to or receive contributions from any person, municipal corporation, county, district, water improvement district, irrigation district, levee improvement district or improvement district," etc.

The bill was read third time and was passed.

#### SENATE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 5, A bill to be entitled "An Act making an appropriation out of the State Treasury of the State's portion of the compensation to be paid by the State and the United States government to owners of live stock destroyed to eradicate and prevent disease among live stock in this State."

The bill was read second time.

Mr. Stevenson offered the following amendment to the bill:

Amend Senate bill No. 5, page 1, line 14, by striking out the figures "\$165,000" and substituting "\$168,407" and by adding to Section 1, line 18, the words: "and also to pay losses suffered to cattle in transit to market upon satisfactory proof made to the State Live Stock Sanitary Commission."

On motion of Mr. Graves, further consideration of the bill was postponed until 3 o'clock p. m. today.

#### SENATE BILL NO. 39 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 39, A bill to be entitled "An Act to amend Chapter 97 of the General Laws of the State of Texas passed by the Thirty-third Legislature, found on page 183 of the General Laws of the State of Texas, passed by the Thirty-third Legislature at its Regular Session, amending Article 4632 of Chapter 4 of Title 68 of the Revised Civil Statutes of the State of Texas of 1911, relating to the granting of divorces."

The bill was read second time.

Mr. Dielmann offered the following (committee) amendment to the bill:

Amend Senate bill No. 39 by striking out all below the enacting clause and inserting the following:

Section 1. That Article 4632 of the Revised Civil Statutes of the State of Texas of 1911 as amended by the Thirty-third Legislature at its Regular Session, as found in the General Laws of the State of Texas passed by said Thirty-third Legislature at its Regular Session, and found on page 183 thereof, be so amended as to read hereafter as follows:

Article 4632. No suit for divorce from the bonds of matrimony shall be maintained in the courts of this State unless the petitioner for such divorce



shall at the time of exhibiting his or her petition be an actual bona fide inhabitant of the State of Texas for a period of twelve months, and shall have resided in the county where the suit is filed six months next preceding the filing of the suit; and shall have been actually separated from bed and board of his or her spouse for a period of not less than six months and shall have filed with his or her petition a statement of the present address or residence of the defendant if known, and if not known the last known address of said defendant, and shall verify under oath his or her petition before filing same; provided that such suit shall not be heard or divorce granted before the expiration of thirty days after the same is filed; and provided further, that where a man marries the woman whom he seduces to escape penalties of the law punishing for seduction, the man shall not be entitled to a divorce, for any cause, within three years after such marriage, provided that this act shall not apply to any case where either the husband or wife is insane.

Provided further, that in addition to the ground for divorce apart without cohabitation for as long as five years, the same now provided by statute, where the husband and wife have lived shall be sufficient grounds for divorce.

Provided, however, a citizen of this State who is or has been absent from this State for more than six months in the military or naval service of the United States or of this State, shall be entitled to sue for divorce in this State and in the county in which such person had his or her residence before entering such service.

Mr. Dielmann offered the following amendment to the (committee) amendment:

Amend (committee) amendment No. 1 to Senate bill No. 39 by adding after line 8, page 3, a new paragraph, as follows: "Provided that the order of the court granting a divorce on the grounds of cruel treatment shall be an interlocutory order for a period of one year from the trial of the cause, and said order shall not become a final judgment until after the expiration of said one year."

Mr. Farrar moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment to the amendment was adopted by the following vote:

## Yeas—72.

Albritton.	Kittrell.
Alexander	Lane of Hamilton.
of Bastrop.	Loftin.
Amsler.	Mankin.
Avis.	McBride.
Baker of Orange.	McDougald.
Baker of Panola.	McFarlane.
Barron.	McGill.
Bateman.	McKean.
Bedford.	McNatt.
Boggs.	Moore.
Bonham.	Pavlica.
Bryant.	Pearce.
Coffey.	Poage.
Conway.	Pope.
Cummings.	Powell.
Dale.	Raymer.
Daniels.	Renfro.
Davis of Wood.	Rice.
DeBerry.	Robinson.
Dielmann.	Rogers.
Dinkle.	Runge.
Donnell.	Simmons.
Downs.	Sinks.
Dunn of Hopkins.	Stautzenberger.
Finlay.	Stell.
Florence.	Stevens.
Foster.	Storey.
Frnka.	Taylor.
Hagaman.	Thompson.
Harman.	Tomme.
Harper.	Walker.
High.	Westbrook.
Hoskins.	Wester.
Jasper.	Williamson.
Johnson.	Wilson.
Kayton.	Young.
Kinnear.	

## Nays—32.

Acker.	Lane of Harrison.
Barker.	Low.
Bean.	Masterson.
Brown.	Nicholson.
Coody.	Parish.
Cox of Navarro.	Perdue.
Dunn of Falls.	Purl.
Farrar.	Rawlins.
Fields.	Rowell.
Graves.	Rowland.
Gray.	Sheats.
Jacks.	Simpson.
Jordan.	Sparks.
Justice.	Stout.
Kemble.	Veatch.
Kenyon.	Wade.
Laird.	

## Absent.

Alexander	Bobbitt.
of Limestone.	Cade.
Atkinson.	Carter.
Bartlett.	Chitwood.
Bird.	Covey.
Blount.	Cox of Lamar.

Davis of Dallas.	Montgomery.
Dunlap.	Pool.
Durham.	Sanford.
Enderby.	Shearer.
Faulk.	Smith of Nueces.
Hall.	Smith of Travis.
Hollowell.	Smyth.
Houston.	Stevenson.
Hull.	Strong.
Irwin.	Teer.
Jones.	Wallace.
King.	Webb.
Lipscomb.	Wells.
McDonald.	Woodruff.
Merritt.	

Absent—Excused.

Maxwell. Petsch.

Mr. Jacks offered the following amendment to the amendment:

Amend Senate bill No. 39 by striking out all on page 2, line 35 after semicolon through the words "months" in line 37.

Mr. Kemble offered the following amendment to the bill:

Amend substitute bill by striking out the enacting clause.

The amendment was lost.

Question then recurring on the amendment to the (committee) amendment, it was lost.

Mr. Farrar offered the following amendment to the amendment:

Amend Senate bill No. 39, by striking out all of lines 35, 36, 37, 38, 39 and 40, except the words "of the suit" beginning of line 35, in Article 4632, page 2.

Mr. McFarlane moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—45.

Acker.	Harman.
Albritton.	High.
Alexander	Hoskins.
of Limestone.	Jordan.
Atkinson.	Kinnear.
Barron.	Kittrell.
Coffey.	McBride.
Conway.	McDougald.
Cox of Navarro.	McFarlane.
DeBerry.	McGill.
Dielmann.	McNatt.
Dinkle.	Moore.
Donnell.	Pearce.
Downs.	Poage.
Dunn of Hopkins.	Renfro.
Durham.	Rice.
Enderby.	Robinson.
Finlay.	Simmons.
Florence.	Stautzenberger.
Hagaman.	Tomme.

Veatch.	Williamson.
Walker.	Wilson.
Westbrook.	Young.
Wester.	

Nays—58.

Alexander	Justice.
of Bastrop.	Kayton.
Ansler.	Kemble.
Avis.	Kenyon.
Barker.	Laird.
Bateman.	Lane of Hamilton.
Bean.	Lipscomb.
Bedford.	Loftin.
Bird.	Mankin.
Boggs.	Masterson.
Bonham.	Merritt.
Brown.	Nicholson.
Bryant.	Parish.
Coody.	Pavlica.
Covey.	Perdue.
Cummings.	Pope.
Dale.	Powell.
Davis of Dallas.	Rawlins.
Davis of Wood.	Rogers.
Dunn of Falls.	Rowland.
Farrar.	Sheats.
Faulk.	Simpson.
Fields.	Smith of Travis.
Foster.	Sparks.
Frnka.	Stell.
Graves.	Stevens.
Gray.	Stout.
Hall.	Thompson.
Jacks.	Webb.
Johnson.	Wells.

Present—Not Voting.

Runge.	Woodruff.
Shearer.	

Absent.

Baker of Orange.	Low.
Baker of Panola.	McDonald.
Bartlett.	McKean.
Blount.	Montgomery.
Bobbitt.	Pool.
Cade.	Purl.
Carter.	Raymer.
Chitwood.	Rowell.
Cox of Lamar.	Sanford.
Daniels.	Sinks.
Dunlap.	Smith of Nueces.
Harper.	Smyth.
Houston.	Stevenson.
Hollowell.	Storey.
Hull.	Strong.
Irwin.	Taylor.
Jasper.	Teer.
Jones.	Wade.
King.	Wallace.
Lane of Harrison.	

Absent—Excused.

Maxwell.	Petsch.
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Mr. Wilson offered the following substitute for the amendment:

Substitute amendment, by adding after the words "oath," in line 40, the following words: "All of the above mentioned facts, but said verification and oath shall not apply to general allegations in the petition."

Mr. Dale moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—92.

Acker.	Kemble.
Albritton.	Kenyon.
Alexander	Kinnear.
of Bastrop.	Kittrell.
Atkinson.	Laird.
Avis.	Lane of Hamilton.
Baker of Panola.	Lane of Harrison.
Barker.	Lipscomb.
Barron.	Mankin.
Bean.	Masterson.
Bedford.	McDougald.
Bird.	McFarlane.
Boggs.	McGill.
Bonham.	McNatt.
Brown.	Merritt.
Chitwood.	Montgomery.
Coffey.	Moore.
Conway.	Parish.
Coody.	Pavlica.
Covey.	Pearce.
Cummings.	Perdue.
Dale.	Poage.
Davis of Wood.	Pope.
DeBerry.	Powell.
Dielmann.	Raymer.
Dinkle.	Renfro.
Donnell.	Rice.
Downs.	Robinson.
Dunn of Falls.	Rogers.
Dunn of Hopkins.	Rowell.
Durham.	Rowland.
Enderby.	Sheats.
Farrar.	Simmons.
Faulk.	Simpson.
Fields.	Sinks.
Foster.	Smith of Travis.
Graves.	Sparks.
Gray.	Stautzenberger.
Hall.	Stell.
Harman.	Stevens.
High.	Stout.
Hoskins.	Taylor.
Jacks.	Veatch.
Jasper.	Walker.
Johnson.	Westbrook.
Jordan.	Wester.
Justice.	Williamson.
Kayton.	Wilson.

Nays—6.

Bryant. Davis of Dallas.

Frnka. Nicholson.  
Harper. Young.

Present—Not Voting.

Runge. Woodruff.  
Shearer.

Absent.

Alexander	King.
of Limestone.	Loftin.
Amsler.	Low.
Baker of Orange.	McBride.
Bartlett.	McDonald.
Bateman.	McKean.
Blount.	Pool.
Bobbitt.	Purl.
Cade.	Rawlins.
Carter.	Sanford.
Cox of Lamar.	Smith of Nueces.
Cox of Navarro.	Smyth.
Daniels.	Stevenson.
Dunlap.	Storey.
Finlay.	Strong.
Florence.	Teer.
Hagaman.	Thompson.
Hollowell.	Tomme.
Houston.	Wade.
Hull.	Wallace.
Irwin.	Webb.
Jones.	Wells.

Absent—Excused.

Maxwell. Petsch.

Mr. Jacks moved that further consideration of the bill be postponed indefinitely.

Mr. Simpson moved the previous question on the pending amendments, motion to postpone, and the passage of the bill, and the main question was ordered.

Question first recurring on the motion to postpone indefinitely, yeas and nays were demanded.

The motion to postpone indefinitely was lost by the following vote:

Yeas—50.

Acker.	Enderby.
Alexander	Farrar.
of Bastrop.	Gray.
Amsler.	Hall.
Atkinson.	Jacks.
Barker.	Johnson.
Bateman.	Jordan.
Bean.	Justice.
Bird.	Kemble.
Boggs.	Kenyon.
Coody.	Lane of Hamilton.
Covey.	Lane of Harrison.
Dale.	Lipscomb.
Davis of Dallas.	Masterson.
Davis of Wood.	McKean.
Dunn of Falls.	Merritt.

Nicholson.  
Parish.  
Pavlica.  
Perdue.  
Powell.  
Rawlins.  
Raymer.  
Rowell.  
Rowland.  
Shearer.

Sheats.  
Simmons.  
Simpson.  
Sparks.  
Stevens.  
Stout.  
Thompson.  
Wilson.  
Woodruff.

## Nays—62.

Albritton.	Kayton.
Avis.	Kinnear.
Baker of Panola.	Kittrell.
Barron.	Laird.
Bedford.	Mankin.
Bobbitt.	McDougald.
Bonham.	McFarlane.
Brown.	McGill.
Bryant.	McNatt.
Coffey.	Montgomery.
Conway.	Moore.
Cummings.	Pearce.
DeBerry.	Poage.
Dielmann.	Pope.
Dinkle.	Renfro.
Donnell.	Rice.
Downs.	Robinson.
Dunn of Hopkins.	Rogers.
Durham.	Runge.
Faulk.	Sinks.
Fields.	Smith of Nueces.
Florence.	Stautzenberger.
Foster.	Stell.
Frnka.	Taylor.
Graves.	Veatch.
Harman.	Walker.
Harper.	Wallace.
High.	Westbrook.
Hollowell.	Wester.
Hoskins.	Williamson.
Jasper.	Young.

## Absent.

Alexander	King.
of Limestone.	Loftin.
Baker of Orange.	Low.
Bartlett.	McBride.
Blount.	McDonald.
Cade.	Pool.
Carter.	Purl.
Chitwood.	Sanford.
Cox of Lamar.	Smith of Travis.
Cox of Navarro.	Smyth.
Daniels.	Stevenson.
Dunlap.	Storey.
Finlay.	Strong.
Hagaman.	Teer.
Houston.	Tomme.
Hull.	Wade.
Irwin.	Webb.
Jones.	Wells.

## Absent—Excused.

Maxwell.	Petsch.
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Question then recurring on the amendment by Mr. Farrar to the (committee) amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—62.

Mr. Speaker.	King.
Alexander	Kinnear.
of Bastrop.	Laird.
Amsler.	Lane of Harrison.
Baker of Panola.	Lipscomb.
Barker.	Low.
Bateman.	Mankin.
Bean.	Merritt.
Bedford.	Montgomery.
Bird.	Moore.
Boggs.	Parish.
Bonham.	Pavlica.
Brown.	Pope.
Chitwood.	Powell.
Conway.	Rawlins.
Coody.	Raymer.
Dale.	Renfro.
Davis of Wood.	Robinson.
Donnell.	Rogers.
Dunn of Falls.	Rowell.
Dunn of Hopkins.	Sanford.
Enderby.	Simmons.
Farrar.	Simpson.
Florence.	Smith of Nueces.
Frnka.	Sparks.
Graves.	Stell.
Gray.	Stevens.
Hall.	Stout.
Jacks.	Thompson.
Johnson.	Wallace.
Justice.	Webb.
Kemble.	Wells.
Kenyon.	

## Nays—52.

Acker.	Jordan.
Albritton.	Kayton.
Atkinson.	Kittrell.
Avis.	Lane of Hamilton.
Barron.	Masterson.
Bobbitt.	McDougald.
Coffey.	McFarlane.
Covey.	McGill.
Cox of Navarro.	McKean.
Cummings.	McNatt.
Davis of Dallas.	Pearce.
DeBerry.	Perdue.
Dielmann.	Poage.
Dinkle.	Rice.
Downs.	Rowland.
Durham.	Shearer.
Faulk.	Sheats.
Fields.	Smith of Travis.
Foster.	Stautzenberger.
Harman.	Taylor.
Harper.	Veatch.
High.	Wade.
Hollowell.	Walker.
Hoskins.	Westbrook.

Wester. Woodruff.  
Williamson. Young.

Present—Not Voting.

Bryant. Runge.  
Jasper.

Absent.

Alexander	Jones.
of Limestone.	Loftin
Baker of Orange.	McBride.
Bartlett.	McDonald.
Blount.	Nicholson.
Cade.	Pool.
Carter.	Purl.
Cox of Lamar.	Sinks.
Daniels.	Smyth.
Dunlap.	Stevenson.
Finlay.	Storey.
Hagaman.	Strong.
Houston.	Teer.
Hull.	Tomme.
Irwin.	Wilson.

Absent—Excused.

Maxwell. Petsch.

Question then recurring on the (committee) amendment as amended, it was adopted.

Senate bill No. 39 was then finally passed.

Mr. McFarlane moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 216. "An Act to amend Chapter 102, Special Laws of the Thirty-eighth Legislature enacted at its Regular Session, creating the Spicewood Independent School District; the said amendment providing for redefining the boundaries of said school district and providing for retention in office of present board of trustees and confirming the rights of the present board of trustees under the general laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district, as extended by this act, and declaring an emergency."

H. B. No. 80, "An Act to amend paragraph No. 4 of Article 1422, Title 17, Chapter 18, of the Penal Code of Texas, 1911, relating to swindling, mak-

ing certain facts prima facie evidence, and declaring an emergency."

H. B. No. 20, "An Act to amend Article 2078 of the Revised Civil Statutes of 1911, to provide for appeals and writs of error from orders granting motion for new trials, and declaring an emergency."

#### ADDRESS BY HON. MARVIN BROWN.

Mr. Kemble offered the following resolution:

Whereas, The Hon. Marvin Brown, a former member of the House of Representatives, is on the floor of the House; and

Whereas, He was dubbed the "Little Giant" from Tarrant; now, therefore, be it

Resolved, That he be asked to address the House.

Signed—Kemble, Rowland.

The resolution was read second time and was adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Hon. Marvin H. Brown to the Speaker's stand:

Messrs. Rowland, Stout and Woodruff.

The committee having performed their duty, Speaker Satterwhite presented Mr. Rowland, who in turn introduced Hon. Marvin Brown.

Hon. Marvin Brown then addressed the House.

On motion of Mr. Donnell, Hon. Marvin Brown was requested to prepare his address for the press.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 24, Relating to the property of the deceased Mr. W. P. Lane.

H. B. No. 14, A bill to be entitled "An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc.; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violations of this act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

H. B. No. 107, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Second Called Session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free text books, and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act to amend Article 3883, Revised Civil Statutes of Texas, fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency."

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust, or mortgages on land, and when the same shall be barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation; and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendor's liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency," with amendment.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

IN REGARD TO SENATE BILL  
NO. 175.

Mr. Purl offered the following resolution:

H. C. R. No. 17, Relating to Senate bill No. 175.

Whereas, This honorable body in their wisdom, saw fit to pass Senate bill No. 175, which would repeal existing laws on the subject and would allow members of the Legislature and their families to ride on free passes on railway trains and sleeping cars of this State; and

Whereas, During the discussion of this measure, no argument was ever advanced

or reasons given as to why the families of the Legislators should be granted this privilege and upon reflection and serious consideration it is believed that this law, if enacted, will work a hardship on the railroads and would be setting a dangerous precedent for future legislatures in this State; therefore, be it

Resolved by the House of Representatives of the Thirty-ninth Legislature and the Senate concurring, That we request the Hon. Miriam A. Ferguson, Governor of Texas, to veto this measure.

The resolution was read second time.

Mr. Wells moved to table the resolution.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—72.

Acker.	McBride.
Albritton.	McDonald.
Alexander	McDougald.
of Limestone.	McNatt.
Amsler.	Merritt.
Avis.	Montgomery.
Baker of Orange.	Moore.
Bobbitt.	Nicholson.
Boggs.	Poage.
Brown.	Pope.
Conway.	Powell.
Covey.	Rawlins.
Cox of Lamar.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Dinkle.	Rowland.
Dunlap.	Sanford.
Dunn of Falls.	Shearer.
Dunn of Hopkins.	Sheats.
Enderby.	Smith of Nueces.
Faulk.	Smith of Travis.
Florence.	Smyth.
Foster.	Sparks.
Graves.	Stevenson.
Harman.	Strong.
Hoskins.	Taylor.
Jacks.	Thompson.
Johnson.	Tomme.
Jordan.	Wade.
Kayton.	Walker.
Kemble.	Webb.
Kenyon.	Wells.
Kinnear.	Westbrook.
Lane of Hamilton.	Wester.
Lipscomb.	Williamson.
Loftin.	Wilson.
Masterson.	Woodruff.

Nays—50.

Mr. Speaker.	Bean.
Alexander	Bedford.
of Bastrop.	Bonham.
Barker.	Bryant.
Barron.	Carter.
Bateman.	Coffey.

Coody.	McGill.
Davis of Dallas.	McKean.
Davis of Wood.	Parish.
DeBerry.	Pavlica.
Donnell.	Pearce.
Downs.	Perdue.
Durham.	Pool.
Farrar.	Purl.
Fields.	Rogers.
Finlay.	Rowell.
Gray.	Runge.
Hagaman.	Simmons.
Hall.	Simpson.
Hollowell.	Stell.
Jasper.	Stevens.
Justice.	Storey.
King.	Stout.
Kittrell.	Veatch.
Laird.	Wallace.
Lane of Harrison.	Young.
Mankin.	

Present—Not Voting.

Harper.	Stautzenberger.
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Absent.

Atkinson.	High.
Baker of Panola.	Houston.
Bartlett.	Hull.
Bird.	Irwin.
Blount.	Jones.
Cade.	Low.
Chitwood.	McFarlane.
Cox of Navarro.	Raymer.
Daniels.	Sinks.
Dielmann.	Teer.
Frnka.	

Absent—Excused.

Maxwell.	Petsch.
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RECESS.

On motion of Mr. Hall, the House, at 12 o'clock m., took recess to 3 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 3 o'clock p. m., and was called to order by the Speaker.

#### SENATE BILL NO. 46 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 46, A bill to be entitled "An Act authorizing any private corporation for profit, hereafter or heretofore organized under the laws of this State, other than corporations authorized to conduct a banking or insurance business, to issue shares of its stock without nominal or par value, in such classes, with such preferences and for such considera-

tion as may be prescribed and specifying the form of certificate for such stock; and providing for filing with Secretary of State statement showing total shares of all stock to be issued, classes thereof and actual consideration received by the corporation for shares issued without nominal or par value; and providing for not less than ten per cent of authorized number of said shares to be subscribed and paid for; and providing for payment to the State of filing fees and franchise tax on stock without nominal or par value and determining the basis for computing such fees and tax; and providing for constituting outstanding shares of stock with nominal or par value into shares without nominal or par value and regulating and prescribing the method thereof; exempting corporations issuing shares without nominal or par value from provisions of Articles 1125 to 1130, inclusive, and Article 1141 of Revised Civil Statutes; and providing a penalty for a refusal or failure to make and file any report or certificate required by this act; and providing the privileges and powers of this act shall be in addition to and not in restriction or limitation of those now conferred by law, and that invalidity of part of this act shall not affect or impair other provisions, and declaring an emergency."

The bill was read second time.

Mr. Rawlins offered the following amendment to the bill:

Amend Senate bill No. 46, by adding to Section 12, page 7, after line 21, the following: "Provided that nothing in this act shall be construed to in any way exempt the sale of such par value stock or non-par value stock from the operation and control of the Blue Sky Law of this State as the same now exists or may hereafter be amended."

The amendment was adopted.

Mr. Wade offered the following amendment to the bill:

Amend Senate bill No. 46 by adding Section 13a, as follows:

"Section 13a. Provided, that for the purpose of incorporation, 50 per cent of the authorized capital, based upon the shares being of the par value of \$100 per share, shall be paid in as is now provided by law, unless upon such basis the authorized capital exceed \$200,000, in which event 10 per cent shall be paid in."

The amendment was adopted.

Senate bill No. 46 was then passed to third reading.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 6, and requests the House for the appointment of a Free Conference Committee to adjust the differences. The following are appointed conferees on part of the Senate:

Senators Pollard, Stuart, Witt, Woodward and Davis.

The Senate agrees to concur on House amendments to Senate bill No. 31.

The Senate agrees to concur on House amendments to Senate bill No. 38.

The Senate agrees to concur on House amendments to Senate bill No. 169.

The Senate has reported adversely:

H. B. No. 58, A bill to be entitled "An Act amending Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relative to the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles; making proper disposition of funds derived from registration fees of such vehicles for road purposes; prescribing the amount that shall go to the county road and bridge fund and the amount that shall go to the State Highway fund, and declaring an emergency."

H. B. No. 75, A bill to be entitled "An Act amending Chapter 5 of the General Laws of the Third Called Session of the Thirty-eighth Legislature, relative to occupation taxes on sales of gasoline so as to increase the amount of said occupation tax now existing, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

## CONFERENCE COMMITTEE ON SENATE BILL NO. 6.

Mr. McFarlane called up from the Speaker's table, for consideration at this time, the request of the Senate for a Free Conference Committee on Senate bill No. 6.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. McFarlane moved that the request be granted.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following committee:

Messrs. Rawlins, Poage, McFarlane, Kemble and Bedford.

## SENATE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, as postponed business, on its passage to third reading,

S. B. No. 5, A bill to be entitled "An Act making an appropriation out of the State Treasury of the State's portion of the compensation to be paid by the State and the United States government to owners of live stock destroyed to eradicate and prevent disease among live stock in this State."

The bill having heretofore been read second time with amendment by Mr. Stevenson pending.

Mr. Stevenson withdrew the pending amendment and offered the following amendment in lieu thereof:

Amend Senate bill No. 5, page 1, line 25, by striking out the figures "\$165,000" and substituting "\$168,407" and by adding to Section 1, line 33, the words: "And also to pay losses suffered to cattle in transit to market upon satisfactory proof made to the State Live Stock Sanitary Commission, and upon their order the payment for such losses suffered in transit shall be paid out of the excess over \$165,000."

Mr. Gray moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Question then recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 5 was then passed to third reading by the following vote:

Yeas—80.

Acker.	Downs.
Alexander	Dunlap.
of Limestone.	Dunn of Falls.
Baker of Orange.	Dunn of Hopkins.
Baker of Panola.	Enderby.
Barron.	Faulk.
Bedford.	Fields.
Boggs.	Finlay.
Brown.	Florence.
Bryant.	Frnka.
Coffey.	Hall.
Conway.	Harman.
Cox of Lamar.	Harper.
Daniels.	High.
Dielmann.	Hollowell.
Donnell.	Johnson.



Jordan.	Sanford.
Justice.	Shearer.
Kenyon.	Sheats.
Kinnear.	Simmons.
Kittrell.	Simpson.
Lane of Hamilton.	Smith of Nueces.
Lane of Harrison.	Smith of Travis.
Loftin.	Smyth.
Low.	Sparks.
Masterson.	Stautzenberger.
McBride.	Stell.
McGill.	Stevenson.
McNatt.	Storey.
Montgomery.	Thompson.
Nicholson.	Tomme.
Parish.	Veatch.
Poage.	Wade.
Pool.	Wallace.
Pope.	Webb.
Purl.	Wells.
Rawlins.	Westbrook.
Robinson.	Wester.
Rogers.	Williamson.
Rowell.	Wilson.
Runge.	Woodruff.

## Nays—24.

Alexander	Gray.
of Bastrop.	Hoskins.
Atkinson.	Kemble.
Barker.	Laird.
Bateman.	Mankin.
Bean.	McFarlane.
Carter.	Merritt.
Coody.	Moore.
Dale.	Pearce.
Davis of Wood.	Renfro.
DeBerry.	Stout.
Dinkle.	Walker.
Graves.	

## Present—Not Voting.

Jasper.	Powell.
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## Absent.

Albritton.	Irwin.
Amsler.	Jacks.
Avis.	Jones.
Bartlett.	Kayton.
Bird.	King.
Blount.	Lipscomb.
Bobbitt.	McDonald.
Bonham.	McDougald.
Cade.	McKean.
Chitwood.	Pavlica.
Covey.	Perdue.
Cox of Navarro.	Raymer.
Cummings.	Rice.
Davis of Dallas.	Rowland.
Durham.	Sinks.
Farrar.	Stevens.
Foster.	Strong.
Hagaman.	Taylor.
Houston.	Teer.
Hull.	Young.

## Absent—Excused.

Maxwell.

Petsch.

## SENATE BILL NO. 5 ON THIRD READING.

Mr. Hall moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—97.

Acker.	Kinnear.
Alexander	Kittrell.
of Bastrop.	Laird.
Alexander	Lane of Harrison.
of Limestone.	Loftin.
Atkinson.	Masterson.
Avis.	McBride.
Baker of Orange.	McDougald.
Baker of Panola.	McGill.
Barron.	McNatt.
Bateman.	Montgomery.
Bean.	Moore.
Bedford.	Nicholson.
Bobbitt.	Parish.
Boggs.	Pavlica.
Brown.	Poage.
Bryant.	Pope.
Carter.	Purl.
Coffey.	Rawlins.
Conway.	Renfro.
Coody.	Robinson.
Covey.	Rogers.
Cox of Navarro.	Rowell.
Daniels.	Runge.
Davis of Dallas.	Sanford.
Dielmann.	Shearer.
Dinkle.	Sheats.
Donnell.	Simmons.
Downs.	Simpson.
Dunlap.	Sinks.
Dunn of Falls.	Smith of Nueces.
Dunn of Hopkins.	Smyth.
Durham.	Stautzenberger.
Enderby.	Stell.
Faulk.	Stevenson.
Fields.	Storey.
Finlay.	Taylor.
Florence.	Thompson.
Frnka.	Veatch.
Graves.	Wade.
Hall.	Wallace.
Harman.	Webb.
Harper.	Wells.
High.	Westbrook.
Hollowell.	Wester.
Hoskins.	Williamson.
Jordan.	Wilson.
Justice.	Woodruff.
Kemble.	Young.
Kenyon.	

## Nays—10.

Barker.	McFarlane.
Davis of Wood.	Pearce.
DeBerry.	Perdue.
Gray.	Stout.
Lane of Hamilton.	Walker.

## Present—Not Voting.

Jasper.	Strong.
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## Absent.

Albritton.	Jones.
Amsler.	Kayton.
Bartlett.	King.
Bird.	Lipscomb.
Blount.	Low.
Bonham.	Mankin.
Cade.	McDonald.
Chitwood.	McKean.
Cox of Lamar.	Merritt.
Cummings.	Pool.
Dale.	Powell.
Farrar.	Raymer.
Foster.	Rice.
Hagaman.	Rowland.
Houston.	Smith of Travis.
Hull.	Sparks.
Irwin.	Stevens.
Jacks.	Teer.
Johnson.	Tomme.

## Absent—Excused.

Maxwell.	Petsch.
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The Speaker then laid Senate bill No. 5 before the House on its third reading and final passage.

The bill was read third time.

Mr. Stevenson offered the following amendment to the bill:

Amend Senate bill No. 5, page 1, line 11 of the caption, by adding the words: "And also to pay losses suffered to cattle in transit to market upon satisfactory proof made to the State Live Stock Sanitary Commission."

The amendment was adopted.

Senate bill No. 5 was then finally passed by the following vote:

## Yeas—107.

Acker.	Bobbitt.
Alexander	Boggs.
of Bastrop.	Bryant.
Alexander	Carter.
of Limestone.	Coffey.
Amsler.	Conway.
Atkinson.	Coody.
Avis.	Covey.
Baker of Orange.	Cox of Navarro.
Baker of Panola.	Davis of Dallas.
Barron.	Dielmann.
Bateman.	Donnell.
Bean.	Downs.
Bedford.	Dunlap.

Dunn of Falls.	Pavlica.
Dunn of Hopkins.	Pearce.
Durham.	Poage.
Enderby.	Pope.
Faulk.	Purl.
Fields.	Rawlins.
Finlay.	Renfro.
Florence.	Robinson.
Foster.	Rogers.
Frnka.	Rowell.
Graves.	Runge.
Hall.	Sanford.
Harman.	Shearer.
Harper.	Sheats.
High.	Simmons.
Hollowell.	Simpson.
Hoskins.	Sinks.
Jasper.	Smith of Nueces.
Jordan.	Smith of Travis.
Justice.	Smyth.
Kemble.	Stautzenberger.
Kenyon.	Stell.
Kinnear.	Stevens.
Kittrell.	Stevenson.
Lane of Hamilton.	Stout.
Lane of Harrison.	Strong.
Loftin.	Taylor.
Low.	Thompson.
Mankin.	Tomme.
Masterson.	Veatch.
McBride.	Wade.
McDonald.	Wallace.
McDougald.	Webb.
McGill.	Wells.
McNatt.	Westbrook.
Merritt.	Wester.
Montgomery.	Williamson.
Moore.	Wilson.
Nicholson.	Woodruff.
Parish.	Young.

## Nays—9.

Barker.	Lipscomb.
Dale.	McFarlane.
Davis of Wood.	Perdue.
DeBerry.	Walker.
Gray.	

## Absent.

Albritton.	Irwin.
Bartlett.	Jacks.
Bird.	Johnson.
Blount.	Jones.
Bonham.	Kayton.
Brown.	King.
Cade.	Laird.
Chitwood.	McKean.
Cox of Lamar.	Pool.
Cummings.	Powell.
Daniels.	Raymer.
Dinkle.	Rice.
Farrar.	Rowland.
Hagaman.	Sparks.
Houston.	Storey.
Hull.	Teer.

## Absent—Excused.

Maxwell.	Petsch.
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CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 6.

The Speaker laid before the House, and had read the following report:

To the President of the Senate of Texas and the Speaker of the House of Representatives of Texas:

We, your Free Conference Committee, appointed by the President of the Senate on the part of the Senate and by the Speaker of the House of Representatives on the part of the House of Representatives, in regards to House amendments on Senate bill No. 6, have had same under consideration and report back to the Senate and House of Representatives of Texas that Senate bill No. 6 be amended so as to hereafter read as follows, and that it do pass:

S. B. No. 6.

By Pollard.

A BILL

To Be Entitled

An Act making unlawful the making or use of false statements in writing respecting the financial condition, or means, or ability to pay, of the person making such false statement, or causing same to be made, or any person, firm or corporation in which he is interested, or for whom he is acting, for the purpose of obtaining money, property, or credit, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars, whether such statements are made directly or indirectly; making such offense a misdemeanor and prescribing punishment therefor.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any person who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any materially false statement in writing with intent that it shall be relied upon, representing the financial condition, or means, or ability to pay, of himself, or any other person, or firm, or corporation, in which he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever either the delivery of personal property, the payment of cash, the making a loan or credit, the extension of a credit, the discount of any account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, amounting to more than fifty dollars for the benefit of either himself, or of any person, firm or corporation; or

Who, knowing that a false statement in writing has been made respecting the financial condition or means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procures upon the faith thereof, for the benefit of either himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section; or

Who, knowing that a false statement in writing has been made, respecting the financial condition or means, or ability to pay of himself, or the person, firm or corporation, in which he is interested, or for whom he is acting, represents on a later day, in writing that such statements theretofore made, if then again made on said day would be true, when same would be false, and procures upon faith thereof, for the benefit either of himself, or of such person, firm or corporation, either or any of the things of benefit mentioned in the first subdivision of this section.

Shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two hundred dollars or by both such fine and imprisonment.

POLLARD,  
STUART,  
DAVIS,  
WITT,  
WOODWARD.

On the part of the Senate.

RAWLINS,  
POAGE,  
McFARLANE,  
KEMBLE,  
BEDFORD.

On the part of the House.

On motion of Mr. Rawlins, the report was adopted.

SENATE BILL NO. 51 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 51, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

The bill was read third time.

On motion of Mr. Dale, further con-

sideration of the bill was postponed until 4 o'clock p. m. next Wednesday.

# SENATE BILL NO. 64 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 64, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas; to create a State Board of Examiners to operate in conjunction with the office of the Commissioner of the General Land Office, and providing for the appointment of such examiners and fixing their qualifications, compensation and term of office, and providing certain qualifications of real estate brokers, real estate agents and salesmen before receiving license, and providing for certain license fees to be paid by each applicant for real estate license, and also providing for the giving of bond for the protection of the public from fraud and misrepresentation by such real estate brokers, salesman or agent, and providing for the revoking of license by the State Board of Examiners and stating the grounds for such action, and to provide a penalty for the violation of the provisions hereof; repealing all laws in conflict herewith, and providing that the invalidation by the courts of any section or provision of this act shall not invalidate any other provision hereof."

The bill was read second time.

Mr. Kemble offered the following amendment to the bill:

Amend Senate bill No. 64, by striking out Section 23.

The amendment was adopted.

Mr. McFarlane raised a point of order on further consideration of the bill at this time, on the ground that the time for consideration of local bills had arrived.

The Speaker sustained the point of order.

# HOUSE BILL NO. 352 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 352, A bill to be entitled "An Act to amend Sections 7 and 8, Chapter 19 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, and adding thereto Sections 8a and 8b, relating to quorum; providing for the appointment of certain officers, board of equalization, and providing for the execution of bond

by certain officers of the Garwood Independent School District in Colorado county, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—105.

Acker.	Kenyon.
Albritton.	Kinnear.
Alexander	Kittrell.
of Bastrop.	Laird.
Amsler.	Lane of Harrison.
Atkinson.	Loftin.
Avis.	Mankin.
Baker of Orange.	Maxwell.
Baker of Panola.	McBride.
Barker.	McFarlane.
Bateman.	McGill.
Bean.	McKean.
Bedford.	McNatt.
Bird.	Merritt.
Bobbitt.	Moore.
Boggs.	Nicholson.
Brown.	Parish.
Bryant.	Pavlica.
Carter.	Pearce.
Coffey.	Perdue.
Coody.	Poage.
Covey.	Pool.
Cox of Navarro.	Raymer.
Cummings.	Renfro.
Dale.	Rice.
Daniels.	Robinson.
Davis of Dallas.	Rogers.
Davis of Wood.	Rowland.
DeBerry.	Runge.
Dielmann.	Sanford.
Dinkle.	Shearer.
Donnell.	Sheats.
Downs.	Simmons.
Dunlap.	Sinks.
Durham.	Smith of Nueces.
Enderby.	Smith of Travis.
Faulk.	Smyth.
Fields.	Sparks.
Finlay.	Stautzenberger.
Florence.	Stell.
Foster.	Stevens.
Frnka.	Strong.
Graves.	Thompson.
Gray.	Veatch.
Hall.	Walker.
High.	Wallace.
Hollowell.	Wells.
Hoskins.	Westbrook.
Jacks.	Wester.
Jasper.	Williamson.
Johnson.	Wilson.
Jordan.	Woodruff.
Justice.	Young.
Kemble.	

Nays—1.

King.

Present—Not Voting.

Rowell.

Taylor.

## Absent.

Alexander	Kayton.
of Limestone.	Lane of Hamilton.
Barron.	Lipscomb.
Bartlett.	Low.
Blount.	Masterson.
Bonham.	McDonald.
Cade.	McDougald.
Chitwood.	Montgomery.
Conway.	Pope.
Cox of Lamar.	Powell.
Dunn of Falls.	Purl.
Dunn of Hopkins.	Rawlins.
Farrar.	Simpson.
Hagaman.	Stevenson.
Harman.	Storey.
Harper.	Stout.
Houston.	Teer.
Hull.	Tomme.
Irwin.	Wade.
Jones.	Webb.

## Absent—Excused.

Petsch.

HOUSE BILL NO. 354 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 354, A bill to be entitled "An Act to amend Chapter 110, Local and Special Laws of the Thirty-third Legislature, Regular Session, being an act entitled 'An Act creating the Pearsall Independent School District in Frio county, Texas, including the town of Pearsall, incorporated for school purposes under general laws of 1891; providing that bonded indebtedness created by said town of Pearsall shall not be a charge upon the new territory added thereto by this act, and no tax shall be levied on said new territory for payment of said indebtedness; providing for a board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof, and declaring an emergency,' by amending Section 1 of the said act so that it shall hereafter read as herein set out and by adding thereto Section 6a, providing that an election may be held to determine as to the assumption of outstanding indebtedness of territory incorporated into the Pearsall Independent District, validating current contracts for the maintenance of the schools of the districts included in

the said Pearsall Independent District, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—103.

Acker.	Kenyon.
Albritton.	King.
Amsler.	Kinnear.
Atkinson.	Laird.
Avis.	Lane of Harrison.
Baker of Orange.	Loftin.
Baker of Panola.	Mankin.
Barker.	Maxwell.
Barron.	McBride.
Bateman.	McFarlane.
Bean.	McKean.
Bedford.	Montgomery.
Bird.	Moore.
Bobbitt.	Nicholson.
Boggs.	Parish.
Bonham.	Pavlica.
Bryant.	Pearce.
Carter.	Perdue.
Coffey.	Poage.
Coody.	Rawlins.
Covey.	Raymer.
Cox of Navarro.	Renfro.
Cummings.	Rice.
Dale.	Robinson.
Daniels.	Rogers.
Davis of Dallas.	Rowell.
Davis of Wood.	Rowland.
Dielmann.	Runge.
Dinkle.	Sanford.
Donnell.	Shearer.
Downs.	Sheats.
Dunlap.	Simmons.
Dunn of Hopkins.	Sinks.
Durham.	Smith of Nueces.
Enderby.	Smith of Travis.
Finlay.	Smyth.
Florence.	Sparks.
Foster.	Stautzenberger.
Frnka.	Stell.
Graves.	Stevens.
Gray.	Taylor.
Hall.	Thompson.
Harper.	Veatch.
High.	Wade.
Hollowell.	Walker.
Hoskins.	Wallace.
Jacks.	Webb.
Jasper.	Westbrook.
Johnson.	Wester.
Jordan.	Woodruff.
Justice.	Young.
Kayton.	

Nays—1.

Strong.

Absent.

Alexander	Bartlett.
of Bastrop.	Blount.
Alexander	Brown.
of Limestone.	Cade.

Chitwood.	Masterson.
Conway.	McDonald.
Cox of Lamar.	McDougald.
DeBerry.	McGill.
Dunn of Falls.	McNatt.
Farrar.	Merritt.
Faulk.	Pool.
Fields.	Pope.
Hagaman.	Powell.
Harman.	Purl.
Houston.	Simpson.
Hull.	Stevenson.
Irwin.	Storey.
Jones.	Stout.
Kemble.	Teer.
Kittrell.	Tomme.
Lane of Hamilton.	Wells.
Lipscomb.	Williamson.
Low.	Wilson.

Absent—Excused.

Petsch.

#### HOUSE BILL NO. 220 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 220, A bill to be entitled "An Act amending Section 39, under Section 1 of House bill No. 136, being Chapter 168 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, relative to public roads and highways, so as to except and exempt from the said chapter and the county of Bowie, Texas."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 220 ON THIRD READING.

Mr. Simmons moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 220 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	Carter.
Albritton.	Coffey.
Amsler.	Coody.
Avis.	Covey.
Baker of Orange.	Cox of Navarro.
Baker of Panola.	Cummings.
Barker.	Dale.
Barron.	Daniels.
Bean.	Davis of Dallas.
Bedford.	Davis of Wood.
Bird.	DeBerry.
Boggs.	Dielmann.
Bryant.	Dinkle.

Donnell.	Merritt.
Downs.	Montgomery.
Dunlap.	Moore.
Dunn of Hopkins.	Nicholson.
Durham.	Pavlica.
Enderby.	Pearce.
Fields.	Perdue.
Finlay.	Poage.
Florence.	Rawlins.
Foster.	Raymer.
Frnka.	Renfro.
Graves.	Rice.
Gray.	Robinson.
Hall.	Rowell.
Harper.	Runge.
High.	Sanford.
Hollowell.	Shearer.
Hoskins.	Sheats.
Jasper.	Simmons.
Johnson.	Sinks.
Jordan.	Smith of Nueces.
Justice.	Smith of Travis.
Kayton.	Smyth.
Kemble.	Sparks.
Kenyon.	Stautzenberger.
King.	Stell.
Kinnear.	Stevens.
Laird.	Strong.
Lane of Hamilton.	Taylor.
Lane of Harrison.	Thompson.
Loftin.	Veatch.
Mankin.	Walker.
Maxwell.	Wells.
McBride.	Westbrook.
McFarlane.	Wester.
McGill.	Williamson.
McKean.	Woodruff.
McNatt.	Young.

Absent.

Alexander	Jones.
of Bastrop.	Kittrell.
Alexander	Lipscomb.
of Limestone.	Low.
Atkinson.	Masterson.
Bartlett.	McDonald.
Bateman.	McDougald.
Blount.	Parish.
Bobbitt.	Pool.
Bonham.	Pope.
Brown.	Powell.
Cade.	Purl.
Chitwood.	Rogers.
Conway.	Rowland.
Cox of Lamar.	Simpson.
Dunn of Falls.	Stevenson.
Farrar.	Storey.
Faulk.	Stout.
Hagaman.	Teer.
Harman.	Tomme.
Houston.	Wade.
Hull.	Wallace.
Irwin.	Webb.
Jacks.	Wilson.

Absent—Excused.

Petsch.

The Speaker then laid House bill No. 220 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Acker.	Kayton.
Albritton.	Kemble.
Alexander	Kenyon.
of Bastrop.	King.
Amsler.	Kinnear.
Avis.	Kittrell.
Baker of Orange.	Laird.
Baker of Panola.	Lane of Hamilton.
Barker.	Lane of Harrison.
Barron.	Lipscomb.
Bateman.	Mankin.
Bean.	Maxwell.
Bedford.	McBride.
Bird.	McGill.
Bobbitt.	McKean.
Boggs.	Merritt.
Bonham.	Montgomery.
Bryant.	Moore.
Carter.	Nicholson.
Coffey.	Pavlica.
Coody.	Pearce.
Covey.	Perdue.
Cox of Navarro.	Poage.
Cummings.	Purl.
Dale.	Rawlins.
Daniels.	Raymer.
Davis of Wood.	Renfro.
Dielmann.	Rice.
Dinkle.	Robinson.
Donnell.	Rogers.
Downs.	Rowell.
Dunlap.	Runge.
Dunn of Hopkins.	Sanford.
Durham.	Shearer.
Enderby.	Sheats.
Faulk.	Simmons.
Fields.	Sinks.
Finlay.	Smith of Nueces.
Florence.	Smith of Travis.
Foster.	Smyth.
Frnka.	Sparks.
Graves.	Stautzenberger.
Gray.	Stell.
Hall.	Stevens.
Harper.	Strong.
High.	Taylor.
Hollowell.	Thompson.
Hoskins.	Veatch.
Jacks.	Wester.
Johnson.	Williamson.
Jordan.	Woodruff.
Justice.	Young.

Absent.

Alexander	Blount.
of Limestone.	Brown.
Atkinson.	Cade.
Bartlett.	Chitwood.

Conway.	McNatt.
Cox of Lamar.	Parish.
Davis of Dallas.	Pool.
DeBerry.	Pope.
Dunn of Falls.	Powell.
Farrar.	Rowland.
Hagaman.	Simpson.
Harman.	Stevenson.
Houston.	Storey.
Hull.	Stout.
Irwin.	Teer.
Jasper.	Tomme.
Jones.	Wade.
Loftin.	Walker.
Low.	Wallace.
Masterson.	Webb.
McDonald.	Wells.
McDougald.	Westbrook.
McFarlane.	Wilson.

Absent—Excused.

Petsch.

#### SENATE BILL NO. 64 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 64, relating to real estate brokers, etc.

Mr. Gray moved that further consideration of the bill be postponed until 11 o'clock a. m. next Wednesday.

The motion to postpone was lost.

Mr. Purl offered the following amendment to the bill:

Amend Senate bill No. 64 by striking out the words "Commissioner of the General Land Office and Real Estate Division" wherever it occurs in the bill and insert in lieu thereof "Comptroller."

The amendment was adopted.

Mr. Rawlins offered the following amendment to the bill:

Amend Senate bill No. 64, by adding after the word "public" in Section 1, page 2, the following: "Provided that no person shall be required to qualify under this act in order to engage in the real estate business, or to act as a real estate broker, agent or salesman."

The amendment was adopted.

Mr. McFarlane offered the following amendment to the bill:

Amend Senate bill No. 64 by striking out Section 1, page 2.

Question—Shall the amendment be adopted?

#### HOUSE BILL NO. 51 WITH SENATE AMENDMENTS.

Mr. Wester called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 51, A bill to be entitled

"An Act creating and incorporating the Wells Independent School District in Lynn county, Texas, out of territory now composing the Wells Common School District No. 25 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees therefor and thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Wells Common School District No. 25, and the assumption of all such obligations and indebtedness by the Wells Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title for all property in said district be divested out of Wells Common School District No. 25 and vested in Wells Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Wester, the House concurred in the Senate amendments.

#### HOUSE BILL NO. 150 WITH SENATE AMENDMENTS.

Mr. Wester called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 150, A bill to be entitled "An Act creating and incorporating the New Home Independent School District in Lynn county, Texas, out of territory now comprising the New Home Common School District No. 12 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes

and board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said New Home Common School District No. 12, especially validating the bond election held in said New Home Common School District No. 12, and all orders in pursuance thereof, said election being held on the fifth day of July, A. D. 1924, making the bonds issued in pursuance of said election valid and binding and indebtedness by the New Home Independent School District; validating and continuing in force all taxes and bonds heretofore issued or ordered issued and voted, and all taxes and bonds that are now in force in said district; providing that the title to all property in said territory be divested out of the New Home Common School District No. 12 and vested in New Home Independent School District as created by this act; providing for the election and terms of office of trustees of said district, and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict therewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Wester, the House concurred in the Senate amendments.

#### HOUSE BILL NO. 235 WITH SENATE AMENDMENTS.

Mr. Wester called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 235, A bill to be entitled "An Act creating and incorporating Clauene Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Clauene Independent School District No. 6 shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 within the metes and bounds of the said Clauene Independent School



District No. 6 in Hockley county, Texas; validating and continuing in force all taxes heretofore vested and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School District No. 1 within the boundaries of the Clauene Independent School District No. 6 shall, on the passage of this act, vest in Clauene Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Wester, the House concurred in the Senate amendments.

#### NOTICE GIVEN.

Mr. Wells gave notice that he would on tomorrow ask to be taken up for consideration at that time House bill No. 6, which bill had heretofore been laid on the table subject to call.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Simpson, by unanimous consent, Senate bill No. 210 was ordered not printed.

#### HOUSE BILL NO. 212 ON FINAL PASSAGE.

Mr. Stout, by unanimous consent, moved to take up, for consideration at this time,

H. B. No. 212, A bill to be entitled "An Act incorporating the Italy Independent School District in Ellis county, Texas, for free school purposes only; defining its boundaries; providing for board of trustees; providing for a treasurer for the funds of said district, and providing for an assessor and collector of taxes of said district; divesting the city of Italy of the control of its public schools and the title to school property and vesting the same in said Italy Independent School District and its board of trustees, and prescribing the rights, privileges and duties of said Italy Independent School District and its board

of trustees and officers; authorizing the levying and collection of taxes for said school purposes, and authorizing the right of eminent domain to condemn property for school purposes; authorizing the said independent school district to borrow money without the issuance of bonds; authorizing the said board to be vested with all authority that is vested in board of trustees of independent school districts by the general laws of the State of Texas, and authorizing them to employ an attorney for the protection of property, and declaring an emergency."

The bill having heretofore been read third time.

The motion prevailed.

Mr. Stout offered the following amendment to the bill:

Amend House bill No. 212 by striking out all after the enacting clause and by inserting in lieu thereof the following:

Section 1. That there is hereby created and established in Ellis county, Texas, an incorporation for free school purposes only, under the name of and to be known as Italy Independent School District, with the boundaries described by the following metes and bounds, as follows, to wit:

Beginning at a point in the center of the channel of Chambers Creek, where the north line of the James Cooper survey, Abstract No. 241, in Ellis county, Texas, crosses said Chambers Creek, which is also the northeast corner of Ellis County Common School District No. 106;

Thence south 60 west with the north line of said Cooper survey 800 varas to the northwest corner of Jas. Cooper and the northeast corner of the Isaac H. Lowe survey;

Thence south 30 east with the division line between the said Cooper and Lowe surveys 728 varas to a point in same, which is the northeast corner of the Gamble 75-acre tract;

Thence south 60 west passing several tracts, in all 2069 varas to a stake in the Isaac H. Lowe survey;

Thence south 30 east 1306 varas to an "ell" corner in School District No. 106;

Thence south 60 west at 308 varas, passing the south northwest corner of said Ellis County School District No. 106, in all 1034 varas to stake in west line of Isaac H. Lowe survey;

Thence north 30 west with the west line of said Lowe survey 1140 varas to stake in the east line of the Harriet Nail survey;

Thence south 60 west crossing the west line of the Harriet Nail survey, and the east line of the B. F. Adams survey, in all 1306 varas to center line of public road;

Thence with the center line of said public road as follows: North 33 west 281 varas; north 27 west 602 1-2 varas to a point in the division line between the Benj. F. Adams and the Thos. E. Sloan surveys; and north 24 west 608 varas to a point in said public road;

Thence south 60 west 963 varas to a point in the Thos. E. Sloan survey;

Thence north 30 west 724 varas to stake in branch;

Thence north 5½ west up the branch 85 varas to a stake in the north line of the Thos. E. Sloan survey;

Thence south 60 west 15 varas with said line to a stake in the east line of the right of way of the I. & G. N. R. R.;

Thence north 11 east with said east line of said I. & G. N. right of way fence, 228 varas to stake in line with the Aycock and Gamble division line in the Erasmus D. Harrison survey;

Thence north 30½ west with said division line, in all 1272 varas to a point in the Italy-Milford public road on the south line of the Dunaway land in the Harrison survey.

Thence north 60 east with said road, 21 varas to the southeast corner of the said Dunaway land;

Thence north 30½ west with the east line of said Dunaway tract, in all 1419 varas to the northeast corner of same in the north line of said Harrison survey;

Thence south 60 west with the Italy-Milford upper road, 1020 varas to the southeast corner of the H. T. Harlees survey;

Thence north 30 west with east line of the Harlees and Tennert surveys and continuing same course, in all 2838 varas to a point south 60 west of the northwest corner of Thos. K. Miller survey;

Thence north 60 east about 950 varas to a point south 30 east of the southwest corner of the P. T. McCabe survey;

Thence north 30 west, passing the southwest corner of said McCabe survey, at 75 varas, continuing same course with the west line of said McCabe survey, in all 1975 varas to the northwest corner of same.

Thence north 60 east with the north line of said McCabe survey, 550 varas to the southeast corner of the J. G. Snodgrass survey;

Thence north 30 west with the east line of said J. G. Snodgrass survey 1904 varas to the northeast corner of the R. D. Aprice survey;

Thence north 60 east with the north line of said Aprice survey, crossing the I. & G. N. R. R. track, in all 1900 varas to the southeast corner of the A. S. Thurmond survey, and the southwest corner of the L. B. DeSpain 640-acre survey;

Thence north 30 west with the west line of the said L. B. DeSpain survey, in all 1900 varas to the northwest corner of same;

Thence north 60 east with the north line of said L. B. DeSpain survey, 178 varas to a point in the center of the channel of Chambers Creek, where the north line of said DeSpain survey crosses said Chambers Creek;

Thence down the center of the channel of said Chambers Creek, with all its meanders to the place of beginning, containing in all 14,297 acres of land, as follows:

#### Whole Surveys.

	Abst. No.	Acres.
Charles Merlin.....	669	640
R. D. Aprice.....	941	320
R. D. Rice.....	942	70
Jno. Moore.....	757	160
Jas. H. Chambers.....	205	90
P. T. McCabe.....	677	640
Jas. Henderson.....	294	200
Wm. R. Woods.....	1,115	100
Wm. J. Smith.....	975	320
H. H. DeArmon.....	294	275
Thos. H. Miller.....	704	640
Wm. L. Mitchell.....	688	640
John Shay.....	974	1,485
Ellis Co. School Land..	330	975
Wm. H. James.....	563	75
W. B. M. Nicholson.....	789	160
Edward L. Hogan.....	451	160

#### Partial Surveys.

L. B. DeSpain.....	1,078	329
Jno. Levi.....	622	180
Wm. R. Howe.....	443	298
E. D. Harrison.....	512	640
E. D. Harrison.....	612	640
Thos. E. Sloan.....	1,007	175
Harriet Nail.....	787	360
B. F. Adams.....	4	50
Isaac H. Lowe.....	613	635
Thos. I. Smith.....	970	125
Benjamin Smith.....	954	1,955

Total Acreage.....14,297

Sec. 2. That the city of Italy, which is situated within said boundaries, is hereby divested of the control of the public free schools within its limits, and the said Italy Independent School District is hereby invested with the exclusive control of the public free schools

within the limits of said district as hereinbefore defined, and the title and rights to all property owned, held, set apart, or in any way dedicated to the use of the public free schools of the city of Italy heretofore vested in the mayor, city council, or board of trustees of said city, shall be and are hereby invested in the board of trustees of said Italy Independent School District and their successors in office.

Sec. 3. The management and control of the public free schools within said Italy Independent School District is hereby vested in a board of trustees, which shall be composed of seven persons, resident citizens and qualified voters within said district, and each member of said board of trustees shall, before entering upon the discharge of his duties as such, swear that he will faithfully and impartially discharge the duties of such office, and his affidavit to that effect shall be filed with the president of the school board.

Sec. 4. That the seven persons constituting the board of trustees of the public free schools of the city of Italy at the time this act takes effect shall, until the expiration of the terms for which they were elected and until the election and qualification of their successors, hold the office of trustees and constitute the board of trustees of said Italy Independent School District, and their successors shall be elected for the term and in the manner prescribed by the general law for the election of trustees in independent school districts incorporated for free school purposes only. Vacancies in the board of trustees shall be filled, for the unexpired term, by a vote of the majority of the members continuing in office.

Sec. 5. The board of trustees of the said Italy Independent School District shall be a body politic and corporate in law, and, as such, may contract and be contracted with, sue and be sued, plead or be impleaded in any court of this State of proper jurisdiction, and may receive any gifts, grant, donation or devise for the use and benefit of the public schools in said district.

Sec. 6. The board of trustees of said district shall manage and control the public free schools within said district to the exclusion of every other authority, except in so far as the State Superintendent of Public Instruction and the State Board of Education may be vested with general supervisory authority as provided by general law.

Sec. 7. The trustees elected under this act shall meet within ten days after

the election, or as soon thereafter as possible for the purpose of organizing. A majority of the board shall constitute a quorum to do business, and they shall choose from their numbers a president, secretary, treasurer, or any other officers or committees which the board, in its judgment, may think necessary, and if, in the judgment of the board of trustees they see fit, the duties of the secretary and treasurer may be imposed upon one officer, known as the secretary and treasurer. The treasurer shall be required to give bond in such amount as may be directed by the board of trustees. Such bond shall be made payable to the president of the board, or his successors in office, and be approved by the board of trustees, conditioned for the faithful discharge of his duties and the payment of the funds received by him, upon draft of the president drawn upon order, duly entered, of the board of trustees. The treasurer shall be entitled to such commission for his services as the board may allow, the same not to exceed one per cent of the funds coming into his hands.

Sec. 8. The officers elected by said board of trustees may be removed from office for misconduct at any time by a majority vote of the members of said board.

Sec. 9. The official duties and authority of the officers selected by the board of trustees shall conform with the sphere of the business of the board, and as may be prescribed and directed by the rules and regulations adopted by the said board, consistent with the general laws regulating the duties of officers and trustees of independent school districts.

Sec. 10. The said board shall have authority to prescribe the necessary rules for the transaction of its business; electing its officers; filling vacancies in its membership; appointing its committees for regulating and facilitating its business and the establishment of schools and the conduct of them; fixing the mode and manner of electing teachers, and fixing their compensation within the limits by general law; providing for the investigation of misconduct or incompetency of teachers; providing for the cancellation of the contract with and discharging of any teacher found guilty upon due investigation and proof of unbecoming conduct, inefficiency, neglect of duty, incompetency, or other fault justifying such cancellation of contract and discharge, in the interest of good order, discipline and efficiency of

the schools, subject to such right of appeal on the part of said teacher as is allowed by law; and generally to adopt such rules and regulations as will subserve the efficient and perfect management of the schools.

Sec. 11. A record of the minutes of all the proceedings of the board shall be kept and recorded in a well-bound book in proper form, which shall be open to inspection by the public.

Sec. 12. The president and all other officers and members of the board of trustees, except that of treasurer, or secretary, or secretary and treasurer, shall serve without compensation.

Sec. 13. The board may allow the secretary as compensation for his services such amount as they may think proper, provided the same shall not exceed \$5 per month.

Sec. 14. The board of trustees shall have the taxes assessed and collected annually by the county tax assessor and county tax collector, or by the tax assessor and collector of the city of Italy, or by any other tax assessor or collector designated by the board of trustees, at the option of said board of trustees, and the officials so assessing and collecting said taxes shall give bond as may be required by said board of trustees and shall be liable under their official bonds for the faithful performance of their duties as such officers. Said officers shall receive not more than a maximum of 4 per cent of the amount of money collected for assessing and collecting and disbursing of said taxes. That all of said taxes or moneys collected shall be paid over by the collector of taxes at the end of every month to the treasurer of said independent school district.

Sec. 15. The board of trustees shall annually appoint a suitable person to take the necessary census of all children within the district entitled to be enrolled and numbered in the scholastic census for the current year, same to be taken during the month of March to the end that said district shall receive its full proportionate share of all the available school fund; and to make report thereof in the prescribed form as provided by general law pertaining to independent school districts of over 500 scholastics, to the proper authorities. Said person so appointed to take the census shall receive as compensation for his service, to be allowed by said board, a sum not in excess of the amount now or hereafter allowed by general law for like service.

Sec. 16. The president and secretary, when acting in their official capacity, as herein provided, are hereby authorized to administer oaths or affirmations, and may use the seal of the board in attestation thereof.

Sec. 17. The board shall provide a suitable seal with a suitable device of its selection, indicative of its authority to be used in the authentication of all bonds, warrants, contracts, or other documents executed by authority of the board.

Sec. 18. The board of trustees of said Italy Independent School District shall have power to levy and collect an annual ad valorem tax not to exceed the amount now prescribed by the laws of the State of Texas upon all taxable property within the district, for the maintenance of the schools therein and for the purchase of sites, and for purchasing, constructing, repairing and equipping public free school buildings within the limits of said district. Said board of trustees shall have the power to issue coupon bonds of the district for building purposes, and for furnishing and equipping public free school buildings, and purchasing sites therefor, to be made payable in not exceeding forty years from their date, in such sums as they shall deem expedient, to bear interest not to exceed five and one-half (5 1-2) per cent per annum; provided that when such buildings are to be wooden, the bonds herein provided for shall not run for a period longer than twenty years; and provided further, that no tax shall be levied and no bonds issued until after an election shall have been held wherein a majority of the tax-paying voters voting at such an election shall have voted in favor of the levying of such tax, or the issuance of said bonds, or both, as the case may be; and provided further, that the specific rate of tax need not be determined in the election.

Sec. 19. All tax elections held under the provisions of this act either for maintenance or bonds shall be ordered by the board of trustees of the district, and shall be held on some secular day not a legal holiday, within forty days after the date of ordering such election, of which thirty days' prior notice shall be given by the board of trustees by written notice duly posted at three public places within said district, or by publishing in some newspaper published within said district.

Sec. 20. When a sufficient sum of money is available for the purpose as

herein provided, arising from the sale of bonds as herein provided, the board of trustees shall proceed forthwith to select and purchase therewith such building sites, and erect thereon, furnish and equip all such needed school buildings, in said district as the accumulated funds thus obtained will be sufficient to pay for, and the board of trustees may adopt such methods in the premises as they may deem best calculated to secure the best value for the money to be invested for the purposes aforesaid.

Sec. 21. The bonds of said district shall never be sold for less than their face and accrued interest at time of sale, and when a sufficient sum of money is available for the purpose as herein provided, the board of trustees may, if they deem necessary, proceed forthwith to purchase therewith such building sites and erect thereon, furnish and equip such buildings or make such repairs therewith on buildings within said district as may be needed, and as the accumulated funds thus obtained will be sufficient to pay for; and the board of trustees may adopt such methods in the premises as it may deem best calculated to secure the best value for the money, to be invested for the purposes aforesaid.

Sec. 22. That any taxes levied for the year 1924 and any prior year by the city council of the city of Italy, or by any other authority, for the maintenance of its schools, now uncollected, shall be collected and paid by the collector of said city of Italy to the treasurer of the Italy Independent School District.

Sec. 23. The board of trustees of the Italy Independent School District shall be authorized to appoint a board of equalization consisting of three persons who shall not be members of the board of trustees and fix the time for the meeting of the said equalization board. Said board of equalization shall be authorized to equalize and fix the valuation of all real and personal property assessed for school purposes within said Italy Independent School District exclusive of any and all authority. It is expressly provided that said board of equalization shall not be governed by the valuation fixed for State and county or city purposes, but the city valuation may be adopted by said board if desirable. After said board of equalization has completed its work of equalizing and fixing the valuation of property within said district, it shall cause notices to be issued by the secretary of the school board to all persons or corporations, or their

agents, or representatives, to appear before said board of equalization to show cause why such changes in valuation shall not be made. For the purpose of hearing the complaints of those so cited, said board of equalization shall designate a time not less than ten nor more than fifteen days after the adjournment of its previous meeting. Each member of the board of equalization shall be paid three (\$3) dollars per day for services while acting on said board, such payment to be made out of funds derived from maintenance tax, provided that no member of said board of equalization shall receive more than fifteen dollars for one year.

Sec. 24. Upon the petition of twenty (20) taxpaying citizens of said district to the school board thereof, one election may be held every six months to determine whether or not a special tax as herein provided, or bonds issued, or both, notwithstanding an election held in the preceding year may have resulted adversely thereto.

Sec. 25. When a petition signed by a majority of the resident qualified voters of any territory adjacent to said district shall be filed with the president of the school board of said district the same territory shall become a part of said district; provided a majority of said board approve of the same; and provided the annexation of said territory shall not make said district greater than twenty-five square miles; and provided the annexation of said territory shall not deprive the scholastic children of the remaining part of the common school district or districts which may be affected by the proposed change of the opportunity of attendance upon school; the added territory shall bear its pro rata part according to taxable values of any school debt or debts that may be owed or contracted by said independent school district to which it shall have been added.

Sec. 26. When any person or persons whose real estate is adjacent to said district shall petition said board for admission into said district, they shall be received on the same terms and under the same conditions as territories named in Section 25 of this bill.

Sec. 27. The Italy Independent School District, the board of trustees and teachers thereof shall have and enjoy all the rights, privileges, and authorities of independent school districts of 500 or more scholastics, their boards and their teachers.

Sec. 28. The board of trustees of Italy Independent School District, as

created by this act, shall have the power to employ attorneys and other persons when necessary in any matter pertaining to the management and control of the schools of said district and for the protection and preservation of all the property belonging to said district and for the maintenance of the schools and to pay such attorneys and other persons reasonable compensation for such services and said board of trustees shall have power to employ attorneys to bring suits to enforce the collection of delinquent taxes due the said district and to pay such attorneys a reasonable compensation therefor.

Sec. 29. The board of the Italy Independent School District shall have the same right of eminent domain to condemn property for school purposes, as is now conferred by the laws of this State upon the railroad companies to condemn property for right-of-way purposes, and the same procedure as provided by law for the railroad companies in condemnation proceedings shall be followed by the Italy Independent School District and its trustees in condemning property for school purposes and in the assessment of the value of the property so condemned and the benefits and damages incident thereto, and in the payment for such property and damages incident to the condemnation of the same.

Sec. 30. The Italy Independent School District shall have the right to borrow money on terms not to exceed two years, without the issuance of bonds for the purpose of maintaining and continuing the schools of said district, whenever there shall exist a deficiency in the school funds apportioned to said district, for the purpose of paying superintendents, principals, and teachers of the schools of said district, and to pay such indebtedness so created out of the school funds apportioned to said district when available for such purposes.

Sec. 31. All laws heretofore enacted or hereafter to be enacted affecting independent school districts, formed for free school purposes only, shall apply to the Italy Independent School District, when not in conflict with the provisions of this act, in the same manner and in the same effect as though said district had been incorporated under the general laws, and the numeration of rights, powers and privileges conferred upon the board of trustees herein shall not be deemed as exclusive, but the said Italy Independent School District shall have and exercise, and is hereby invested with all the rights, powers and

privileges granted under and by the general laws of the State in relation to independent school districts, and the provisions of this section shall be construed and held to be cumulative of the other sections thereof; but all laws and parts of laws in conflict with this act are hereby repealed.

Sec. 32. All maintenance taxes heretofore voted or bonds heretofore issued by any former school district or school districts included within the bounds of Italy Independent School as herein created, shall remain in full force and effect in so far as the creation of this district might in any manner affect the same until increased or changed by the qualified voters of said district in conformity with the provisions of the laws of Texas; and any territory taken from any district or districts having an outstanding bonded indebtedness shall remain and be chargeable with its pro rata part of such indebtedness.

Sec. 33. The fact that the educational facilities of the territory within the said Italy Independent School District, for want of adequate school buildings and insufficiency of funds to provide school buildings and adequately maintain the school, creates an imperative public necessity, necessitating the suspension of the constitutional rule requiring bills to be read on three several days in each House and said rule is hereby suspended, and also creates an emergency requiring that this act shall take effect and go into full force from and after its passage, and it is so enacted.

The amendment was adopted.

House bill No. 212 was then finally passed by the following vote:

Yeas—110.

Acker.	Daniels.
Albritton.	Davis of Dallas.
Alexander	Davis of Wood.
of Bastrop.	DeBerry.
Amsler.	Dinkle.
Baker of Orange.	Dunn of Falls.
Baker of Panola.	Dunn of Hopkins.
Barron.	Durham.
Bateman.	Farrar.
Bean.	Faulk.
Bedford.	Fields.
Bobbitt.	Foster.
Boggs.	Frnka.
Bonham.	Graves.
Bryant.	Gray.
Coffey.	Hagaman.
Coody.	Hall.
Covey.	Harman.
Cox of Navarro.	Harper.
Cummings.	High.
Dale.	Hollowell.

Hoskins.	Pope.
Jacks.	Powell.
Jasper.	Rawlins.
Johnson.	Renfro.
Jordan.	Rice.
Justice.	Robinson.
Kayton.	Rogers.
Kemble.	Rowell.
Kenyon.	Rowland.
King.	Runge.
Kinnear.	Sanford.
Kittrell.	Shearer.
Laird.	Sheats.
Lane of Harrison.	Simmons.
Loftin.	Simpson.
Low.	Sinks.
Mankin.	Smith of Nueces.
Masterson.	Smyth.
Maxwell.	Sparks.
McBride.	Stell.
McDonald.	Storey.
McDougald.	Strong.
McFarlane.	Thompson.
McGill.	Veatch.
McKean.	Wade.
McNatt.	Walker.
Montgomery.	Wallace.
Moore.	Wells.
Nicholson.	Westbrook.
Parish.	Wester.
Pavlica.	Williamson.
Pearce.	Wilson.
Perdue.	Woodruff.
Poage.	Young.
Pool.	

Nays—1.

Stautzenberger.

Absent.

Alexander	Finlay.
of Limestone.	Florence.
Atkinson.	Houston.
Avis.	Hull.
Barker.	Irwin.
Bartlett.	Jones.
Bird.	Lane of Hamilton.
Blount.	Lipscomb.
Brown.	Merritt.
Cade.	Purl.
Carter.	Raymer.
Chitwood.	Smith of Travis.
Conway.	Stevens.
Cox of Lamar.	Stevenson.
Dielmann.	Stout.
Donnell.	Taylor.
Downs.	Teer.
Dunlap.	Tomme.
Enderby.	Webb.

Absent—Excused.

Petsch.

# MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

H. B. No. 283, A bill to be entitled  
"An Act creating and incorporating  
Coble Independent School District,  
Hockley county, Texas; defining the  
boundaries thereof; providing for a  
board of trustees, their election, terms  
of office, qualifications, powers, duties  
and authority; authorizing said board  
to levy, assess and collect taxes for  
maintenance and building purposes and  
to issue bonds; providing for an as-  
sessor and collector of taxes and for  
a board of equalization; providing that  
the Coble Independent School District  
shall assume any and all valid outstand-  
ing obligations and indebtedness of  
Coble Common School District No. 3  
in Hockley county, Texas, that is with-  
in the territory of the Coble Independ-  
ent School District that shall herein-  
after be described; validating and con-  
tinuing in force all taxes heretofore  
voted and now in force in Coble Com-  
mon School District No. 3; providing  
that title to all property now vested  
in Coble Common School District No. 3,  
that shall be within the territory of said  
Coble Independent School District No. 3,  
shall vest in Coble Independent School  
District No. 3 as herein created; pro-  
viding for filling vacancies in the board  
of trustees; providing for a seal for said  
district; providing that the board of  
trustees of said district shall in all  
things be governed by the general laws  
of Texas relating to independent school  
districts in matters where this act is  
silent; repealing all laws in conflict  
herewith; providing invalidation by the  
courts of any provision of this act shall  
not invalidate any remaining portion  
or provisions, and declaring an emer-  
gency."

H. B. No. 317, A bill to be entitled  
"An Act creating and incorporating the  
Fivemile Independent School District in  
Dawson county, Texas, out of territory  
now composing Common School District  
No. 21 in said county; defining its  
boundaries; providing for a board of  
trustees thereof, and defining their pow-  
ers and authority; authorizing said

board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Fivemile Independent School District shall assume all the obligations and indebtedness of said Common School District No. 21; vesting title to property of said Common School District No. 21 in Fivemile Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Grandview Independent School District in Dawson county, Texas, out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12; vesting title to property of said Common School District No. 12 in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

H. B. No. 351, A bill to be entitled "An Act to change the territory included in the Sour Lake Independent School District in Hardin county, Texas, and for other purposes."

H. B. No. 364, A bill to be entitled "An Act to change the territory included in the Batson Independent School District in Hardin county, and for other purposes."

H. C. R. No. 11, Relating to the Texas Centennial Exposition.

H. B. No. 47, A bill to be entitled "An Act amending Articles 7542 and 7569, of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this act, and declaring an emergency," with amendments.

H. B. No. 51, A bill to be entitled

"An Act creating and incorporating the Wells Independent School District, in Lynn county, Texas, out of territory now composing the Wells Common School District No. 25 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees therefor and thereof, and defining their powers and authority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and a board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said Wells Common School District No. 25, and the assumption of all such obligations and indebtedness by the Wells Independent School District; validating and continuing in force all taxes and bonds that are now in force in said district; providing that the title for all property in said district be divested out of Wells Common School District No. 25 and vested in Wells Independent School District as created by this act; providing for the election and terms of office of the trustees of said district and filling vacancies on said board; providing for a seal for said district providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict herewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency," with amendments.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 150, A bill to be entitled "An Act creating and incorporating the New Home Independent School District in Lynn county, Texas, out of territory now comprising the New Home Common School District No. 12 in Lynn county, Texas; defining the boundaries thereof; providing for a board of trustees thereof; and defining their powers and au-



thority; authorizing such board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for an assessor and collector of taxes and board of equalization for said district; providing for the validation of all outstanding obligations and indebtedness of the said New Home Common School District No. 12, especially validating the bond election held in said New Home Common School District No. 12, and all orders in pursuance thereof, said election being held on the 5th day of July, A. D. 1924, making the bonds issued in pursuance of said election valid and binding and indebtedness by the New Home Independent School District; validating and continuing in force all taxes and bonds heretofore issued or ordered issued and voted, and all taxes and bonds that are now in force in said district; providing that the title to all property in said territory be divested out of the New Home Common School District No. 12 and vested in New Home Independent School District as created by this act; providing for the election and terms of office of trustees of said district, and filling vacancies on said board; providing for a seal for said district; providing that said trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws and parts of laws in conflict therewith; providing that invalidation by the courts of any portion of this act shall not invalidate any remaining portions, and declaring an emergency," with amendments.

H. B. No. 235. A bill to be entitled "An Act creating and incorporating Clauene Independent School District in Hockley county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, term of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and for a board of equalization; providing that the Clauene Independent School District No. 6 shall assume and discharge any and all valid outstanding obligations and indebtedness of Ropes Independent School District No. 1 within the metes and bounds of the said Clauene Independent School District No. 6 in Hockley county, Texas; validating and continuing in force all taxes heretofore vested and now in force in said Ropes Independent School District No. 1; providing that title to all property now vested in Ropes Independent School Dis-

trict No. 1 within the boundaries of the Clauene Independent School District No. 6 shall, on the passage of this act, vest in Clauene Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency," with amendments.

S. C. R. No. 26, Relating to the recalling of Senate bill No. 113 from the office of the Governor.

S. C. R. No. 27, Relating to instructions to be issued to the Superintendent of Public Buildings and Grounds.

The Senate refuses to concur in House amendments to Senate bill No. 113, and requests the House for the appointment of a Free Conference Committee to adjust the differences.

The following are appointed as conferees on part of the Senate: Senators Holbrook, Russek, Bailey, Ward and Strong.

The Senate agrees to concur in House amendments to Senate bill No. 5.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 249, "An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted; licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill per-

sons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing necessary salaries to carry out the purpose of this act, repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency."

## ADJOURNMENT.

Mr. Purl moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Loftin moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Farrar moved that the House adjourn until 10 o'clock a. m. tomorrow.

Question first recurring on the motion of Mr. Purl that the House adjourn until 9 o'clock a. m. tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—35.

Albritton.	Lane of Hamilton.
Alexander	McGill.
of Bastrop.	McKean.
Alexander	Merritt.
of Limestone.	Montgomery.
Baker of Panola.	Parish.
Barker.	Perdue.
Bean.	Pool.
Bobbitt.	Pope.
Brown.	Rawlins.
Cummings.	Rice.
Dunlap.	Smyth.
Enderby.	Veatch.
Florence.	Wade.
Hall.	Webb.
High.	Westbrook.
Jacks.	Woodruff.
Kemble.	Young.

Nays—81.

Acker.	Durham.
Amsler.	Farrar.
Avis.	Fields.
Baker of Orange.	Finlay.
Barron.	Foster.
Bateman.	Frnka.
Bedford.	Gray.
Boggs.	Hagaman.
Coffey.	Harman.
Coody.	Harper.
Cox of Navarro.	Hollowell.
Dale.	Hoskins.
Daniels.	Jasper.
Davis of Dallas.	Johnson.
Davis of Wood.	Jordan.
DeBerry.	Justice.
Dielmann.	Kayton.
Dinkle.	Kenyon.
Downs.	King.
Dunn of Falls.	Kinnear.
Dunn of Hopkins.	Kittrell.

Laird.	Rowell.
Lane of Harrison.	Rowland.
Lipscomb.	Runge.
Loftin.	Sanford.
Low.	Shearer.
Mankin.	Sheats.
Masterson.	Simmons.
Maxwell.	Simpson.
McBride.	Sinks.
McDonald.	Smith of Nueces.
McDougald.	Sparks.
Moore.	Stautzenberger.
Nicholson.	Storey.
Pavlica.	Stout.
Pearce.	Strong.
Poage.	Thompson.
Powell.	Walker.
Renfro.	Wester.
Robinson.	Wilson.
Rogers.	

Absent.

Atkinson.	Irwin.
Bartlett.	Jones.
Bird.	McFarlane.
Blount.	McNatt.
Bonham.	Purl.
Bryant.	Raymer.
Cade.	Smith of Travis.
Carter.	Stell.
Chitwood.	Stevens.
Conway.	Stevenson.
Covey.	Taylor.
Cox of Lamar.	Teer.
Donnell.	Tomme.
Faulk.	Wallace.
Graves.	Wells.
Houston.	Williamson.
Hull.	

Absent—Excused.

Petsch.

Question next recurring on the motion of Mr. Farrar, it prevailed.

The House, accordingly, at 5:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Criminal Jurisprudence—House bill No. 439; Senate bills Nos. 212, 174.

Education—House bill No. 481.

Highways and Motor Traffic—House bills Nos. 443, 498, 501.

Judiciary—House bills Nos. 492, 477, 437, 433, 327, 479.

Municipal and Private Corporations—

House bills Nos. 210, 21; Senate bill No. 104.

The following committees have today filed unfavorable reports on bills as follows:

Education—House bills Nos. 43, 423, 39.

Labor—House bill No. 487.

School Districts—House bill No. 444.

Criminal Jurisprudence—House bill No. 482.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 380, A bill to be entitled "An Act creating the Paradise Independent School District in Wise county, Texas; defining its metes and bounds; vesting it with the rights, powers and duties of districts incorporated for school purposes only under the general laws of the State of Texas; providing for the assumption of the outstanding bonds of the Paradise Common School District, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 32, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the Presidential Electors of Texas for the year 1925, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 293, A bill to be entitled "An Act to create the Dry Lake Independent School District situated in Dickens county, Texas; providing for a board of seven trustees; defining the

powers of said board of trustees; validating all outstanding indebtedness and providing that said indebtedness shall be assumed by Dry Lake Independent District; validating and continuing in force taxes heretofore levied; vesting the title of certain school property in the board of trustees of the Dry Lake Independent School District; placing the district in all other matters under the provisions of the general law, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 26, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Jefferson county, Texas; providing for the payment of said salary; providing for the payment of office and traveling expenses, and declaring an emergency,"

And find the same correctly engrossed.

ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 413, A bill to be entitled "An Act to establish and redefine and rename Common Consolidated District No. 1 of Hardeman county, Texas; to validate all elections heretofore held in said district for local taxes for the maintenance of schools in said district; to validate and assume the payment of all bonds outstanding against said district and providing that all taxes and bonds heretofore authorized by said Common Consolidated District No. 1 shall remain in full force and effect, that this district as redefined and established shall be known as the Bailey High Common Consolidated District No. 1 of said Hardeman county, Texas; providing that said district shall be liable for its pro rata part of any outstanding bonded indebtedness upon a part of any territory taken from any other school district; providing that said Bailey High Common Consolidated School District

No. 1 in Hardeman county, Texas, shall be under the general laws of the State of Texas, with respect to common consolidated districts when not in conflict with this act, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 371, A bill to be entitled "An Act creating and incorporating the Eliasville Independent County Line School District lying in the counties of Young and Stephens, in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the general laws governing independent districts; providing that no outstanding indebtedness of the Eliasville County Line District be invalidated, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 394, A bill to be entitled "An Act to amend Article 1399 of the Revised Statutes of Texas, by providing that the assessor of taxes and collector of taxes in counties having within their boundaries a city or cities, other than the county seat, having a population of 20,000 or more, may maintain a branch office in said city or cities with one or more deputies, and providing for the payment of expenses for maintaining said office,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 415, A bill to be entitled

"An Act creating and incorporating Goodlett Independent School District in Hardeman county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Goodlett Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Common School District No. 32 in Hardeman county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 32; providing that the title to all property now vested in Common School District No. 32 shall, on the passage of this act, vest in Goodlett Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for the collection of delinquent taxes; providing for taking scholastic census; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision hereof, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 354, A bill to be entitled "An Act to amend Chapter 110, Local and Special Laws of the Thirty-third Legislature, Regular Session, being an act entitled, 'An Act creating the Pearsall Independent School District in Frio county, Texas, including the town of Pearsall, incorporated for school purposes under general laws of 1891; providing that bonded indebtedness created by said town of Pearsall shall not be a charge upon the new territory added thereto by this act, and no tax shall be levied on said new territory for payment of said indebtedness; providing for a

board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof, and declaring an emergency,' by amending Section 1 of the said act so that it shall hereafter read as herein set out and by adding thereto Section 6a, providing that an election may be held to determine as to the assumption of outstanding indebtedness of territory incorporated into the Pearsall Independent District; validating current contracts for the maintenance of the schools of the districts included in the said Pearsall Independent District, and declaring an emergency."

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 324, A bill to be entitled "An Act amending Chapter 16 of the Local and Special Laws of the Thirty-sixth Legislature, being an act passed at the Regular Session thereof and approved on the nineteenth day of February, 1919, and incorporating the Saratoga Independent School District and defining its boundaries; divesting the county of Hardin of the control of schools in Common School District No. 17, and fixing the same in the board of trustees of Saratoga Independent School District; and providing for the assumption by the said Saratoga Independent School District of all debts, bonds and other obligations of Common School District No. 17 of Hardin county, Texas, and other common school districts whose boundaries are affected by this act; and providing for the election of board of trustees and defining the powers given said independent school district through its said board of trustees; providing for the filling of vacancies in such board, giving same said board the power to manage and control, maintain and operate the public free school district to continue as such trustees under this act; making said school district a body politic with right to sue and be sued, contract and be contracted with, providing for the election and qualification of trustees for said district; providing for the appointment of a tax collector

and tax assessor; providing for the appointment of a board of equalization by the board; defining the powers of the board of trustees to contract with the superintendent, principal and teachers of said school district; repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 352, A bill to be entitled "An Act to amend Sections 7 and 8, Chapter 19, of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, and adding thereto Sections 8a and 8b, relating to quorum; providing for the appointment of certain officers, board of equalization, and providing for the execution of bond by certain officers of the Garwood Independent School District in Colorado county, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 372, A bill to be entitled "An Act relating to conservation and reclamation districts, under and by virtue of the provision of Section 59, of Article XVI of the State Constitution, known as Levee Improvement Districts, having power and authority to reclaim lands from overflow and from rivers, creeks and streams, by system of levees, drainage and other improvements; prescribing how such districts may be created; defining their rights, powers and privileges, and the manner of their exercise; constituting such districts when created governmental agencies and bodies politic and corporate, and fixing their rights and liabilities as such; providing for the construction, maintenance and protection of works and improvements erected by them; granting to such districts the power of eminent domain; providing for the assessment, levy and collection of taxes; granting to such districts the power to issue bonds and

create indebtedness to raise funds for the objects of their creation; relating to the making of contracts for construction of levees and other works of improvement and providing for the appropriation of funds in payment thereof; requiring the State Reclamation Engineer to inspect such districts and improvements under construction therein; making penal interference with or injury to their works or improvements; fixing penalties and punishments to be imposed on persons offending in those regards, as well as for building levees without lawful authority; enacting provisions necessary and incidental to the subject and purpose of this act; repealing all laws and parts of laws in conflict herewith; providing that this act shall not repeal any drainage district laws, or irrigation or water improvement district laws, and declaring an emergency,"

And find the same correctly engrossed.  
COVEY, Vice-Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 308, A bill to be entitled "An Act to establish a system of public roads and bridges for Denton county and to empower the commissioners court thereof to provide rules and regulations therefor, and a system for the construction of such roads and bridges, the maintenance and repair thereof, and to condemn private property for such purposes, to constitute each county commissioner ex-officio commissioner of the public roads and bridges of his precinct and to prescribe the powers and duties of the county commissioners pertaining to roads; to regulate the expenditure of moneys arising from the levy of taxes for road and bridge purposes, to designate and define certain cardinal roads in the county; to provide for the selection of a county engineer and for the employment of a consulting engineer and for road construction, to employ special counsel for the county, when road matters are involved, and to empower the commissioners court to make such contracts with respect to the construction, maintenance or repair of roads and bridges that may be necessary and to provide for the compensation of the commissioners for the performance of their duties under the terms of this act, and

to prescribe penalties for the violation of this act, and repealing all laws in conflict with the provisions hereof, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 390, A bill to be entitled "An Act to create the Anson Independent School District in Jones county, Texas, including therein the present Anson Independent School District incorporated under the general laws; providing a board of trustees therefor; vesting said Anson Independent School District board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Anson Independent School District, as the subsisting obligations and acts of the Anson Independent School District as created by this act; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 8, A bill to be entitled "An Act amending Articles 3, 4, 7, 10, 13, 16, 35, 38, 41, 48, 55, 60, 61, 64 and 65, Chapter 73, of the General Laws of the First Called Session of the Thirty-sixth Legislature; and Articles 39 and 53, as amended by Chapter 139, General Laws of the Regular Session of the Thirty-eighth Legislature, changing certain penalties therein, making necessary changes and regulations, repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 100, A bill to be entitled  
"An Act for the purpose of promoting  
the public school interests of rural  
schools and small towns, of aiding the  
people to provide adequate school facili-  
ties for the education of their children  
for the next two fiscal years, ending  
August 31, 1926, and August 31, 1927,  
respectively,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 18, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 375, A bill to be entitled  
"An Act to amend Section 5, Chapter  
87 of the Acts of the Thirty-fifth Legis-  
lature of the State of Texas, as amend-  
ed by Chapter 11, Second Called Session  
of the Thirty-eighth Legislature, by  
providing for organization of water im-  
provement districts; providing the ques-  
tions to be submitted at such elec-  
tion, and to amend Section 7, Chapter  
87 of the Acts of the Regular Session  
of the Thirty-fifth Legislature of the  
State of Texas, as amended by Chapter  
28, Second Called Session of the Thirty-  
sixth Legislature of the State of Texas,  
as amended by Chapter 11, Second  
Called Session of the Thirty-eighth  
Legislature; providing for the manner  
of conducting elections provided for in  
said Chapter 87; providing the quali-  
fications for voters at such election;  
prescribing the duties for the commis-  
sioners court in canvassing the returns  
of such votes; the creation of water  
improvement districts; providing for the  
division of the proposed district into  
one or more election precincts; and pro-  
viding polling places in such voting pre-  
cincts; the appointment of judges and  
clerks to hold such election; providing  
a method of filling places on said elec-  
tion board; providing for printing of  
ballots and the matter to be contained  
thereon; and amending Section 9 of  
Chapter 87 of the Acts of the Regular  
Session of the Thirty-fifth Legislature of  
the State of Texas, as amended by Chap-  
ter 28, Second Called Session of the

Thirty-sixth Legislature of the State of  
Texas, as amended by Chapter 11, Sec-  
ond Called Session of the Thirty-eighth  
Legislature, by providing for returns to  
be made by the officers of such election;  
the canvass and return showing the re-  
sult of such election; the establishment  
of districts and making records thereof;  
and to canvass votes for the directors,  
and declaring the result,"

And find the same correctly engrossed.  
ROWELL, Chairman.

Committee Room,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 105, A bill to be entitled  
"An Act creating and incorporating the  
Hancock Independent School District in  
Dawson county, Texas, out of territory  
now composing Common School District  
No. 27 in said county; defining its  
boundaries; providing for a board of  
trustees thereof, and defining their pow-  
ers and authority; authorizing said  
board of trustees to levy, assess and col-  
lect taxes for maintenance and building  
purposes and to issue bonds therefor,  
and providing that said Hancock Inde-  
pendent School District shall assume all  
the obligations and indebtedness of said  
Common School District No. 27 in  
Hancock Independent School District;  
providing for an assessor and collector  
of taxes therefor, and providing for a  
board of equalization of said district;  
providing for the election and terms of  
office of trustees thereof, and declaring  
an emergency,"

And find the same correctly engrossed.  
ROWELL, Chairman.

#### REPORTS OF COMMITTEE ON EN- ROLLED BILLS.

Committee Room,  
Austin, Texas, February 19, 1925.  
Hon. Lee Satterwhite, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 216, "An Act to amend  
Chapter 102, Special Laws of the Thirty-  
eighth Legislature enacted at its Reg-  
ular Session, creating the Spicewood In-  
dependent School District; the said  
amendment providing for redefining the  
boundaries of said school district and  
providing for retention in office of pres-  
ent board of trustees and confirming  
the rights of the present board of trus-

tees under the general laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district as extended by this act, and declaring an emergency."

Have carefully compared the same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 20, "An Act to amend Article 2078 of the Revised Civil Statutes of 1911, to provide for appeals from orders granting motions for new trials, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 18, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 80, "An Act to amend paragraph No. 4, of Article 1422, Title 17, Chapter 18, of the Penal Code of Texas, 1913, as amended by the Thirty-third Legislature, Regular Session, 1913, page 184 of the Acts of the Thirty-third Legislature, relating to swindling, making certain facts prima facie evidence of fraudulent intent,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 19, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 249, "An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for, regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such per-

sons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted; licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing necessary salaries to carry out the purpose of this act; repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

### THIRTY-FIRST DAY.

(Friday, February 20, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Davis of Dallas.
Albritton.	Davis of Wood.
Alexander	DeBerry.
of Bastrop.	Dielmann.
Alexander	Dinkle.
of Limestone.	Donnell.
Amsler.	Downs.
Atkinson.	Dunlap.
Avis.	Dunn of Falls.
Baker of Orange.	Dunn of Hopkins.
Baker of Panola.	Durham.
Barker.	Enderby.
Barron.	Farrar.
Bateman.	Faulk.
Bean.	Fields.
Bedford.	Finlay.
Bird.	Florence.
Blount.	Foster.
Boggs.	Frnka.
Bonham.	Graves.
Brown.	Gray.
Bryant.	Hagaman.
Carter.	Hall.
Chitwood.	Harman.
Coffey.	Harper.
Coody.	High.
Covey.	Hollowell.
Cox of Lamar.	Hoskins.
Cox of Navarro.	Irwin.
Cummings.	Jacks.
Dale.	Jasper.
Daniels.	Johnson.